

4-23-1953

# Report of Comprehensive Zoning Plan Revision, City of Jacksonville, Florida, 1953

George W. Simons Jr.

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REPORT OF  
COMPREHENSIVE ZONING PLAN REVISION  
CITY OF JACKSONVILLE, FLORIDA  
1953

BY

GEORGE W. SIMONS, JR.  
PLANNING AND ZONING CONSULTANT

GEORGE W. SIMONS, JR.

MEM. AM. SOC. C. E.  
MEM. AM. INST. OF PLANNERS

MUNICIPAL ENGINEERING  
RESEARCH AND PLANNING

HILDEBRANDT BUILDING  
JACKSONVILLE 2, FLORIDA

April 23, 1953.

Honorable Haydon Burns, Mayor,  
Honorable Ernest S. Haselden,  
Honorable J. Dillon Kennedy,  
Honorable Claude Smith,  
Honorable Guy L. Simmons,  
Members of the City Commission.

Gentlemen:

I am pleased to transmit to you herewith my report on the comprehensive zoning revision of Jacksonville.

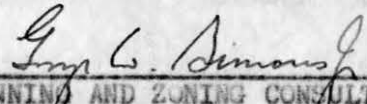
Accompanying the report is a draft of a proposed zoning ordinance and a copy of the proposed zoning map. The text of the report explains the various studies that were made, on which the proposed changes in the map and ordinance text were predicated.

The plan proposed herewith is necessarily subject to public hearings before the City Council prior to its adoption by that body. Subsequently, as a result of hearings, it is probable that some changes will be recommended prior to the preparation of the final map for publication. This is however a matter for Council determination.

The proposed routing and design of the super highway has been a factor in delineating some of the use districts.

It has been a privilege for me to make these studies which are now submitted and in doing so I promise my continued interest and assistance.

Respectfully submitted,

  
PLANNING AND ZONING CONSULTANT

GWS:EBB

For more than one hundred years Jacksonville has occupied an important place in the economy of the South but more particularly in the economy of the Southeast. In the last two decades especially the growth of Florida and the areas tributary to Jacksonville with their diversity of industrial enterprise, their advances in agricultural development and the greatly improved transportation facilities have in the aggregate contributed substantially to the city's population growth and physical development and also to its increasing importance as a central commercial-industrial center. The potential of few other metropolitan areas presents greater opportunities for a continued growth and development. Today Jacksonville and its environs belongs to the nation, as a component part of the national economic structure.

#### ECONOMIC BACKGROUND

From a small strategically located settlement with an economy originally identified with transportation, lumber and naval stores Jacksonville has expanded into a metropolitan center having a diversified economy characterized by manufacturing, wholesale distribution, regional administrative offices, transportation, finance and marketing. No longer are its enterprises and industries restricted to the servicing of a limited region but instead they have ascended to a position of regional and national importance. An evidence of this trend is the selection of Jacksonville or its environs by many national concerns as their regional headquarters or the site of their industrial operations. Notable in this category is the pulp and paper industry, the cement and steel industry, the cigar industry and the business of insurance. Within a radius of one hundred and fifty miles of Jacksonville there are currently located eight (8) of the nation's principal pulp and paper mill operations with their vast acreages of land devoted intensively to pine culture.



In addition to its importance as an industrial, distribution and transportation center, Jacksonville is the focal trading center of a large, growing tributary area extending from 150 to 200 miles north, south and west - an area that is also increasing in population and becoming increasingly important industrially and agriculturally. Within this radius of influence there are many growing cities and the principal tobacco raising areas of Florida and south Georgia as well as some of the best cattle raising and staple crop producing areas of the southeast. Also in this area there are located a number of the nation's defense posts which obviously contribute to the area's economy.

As in its beginning, Jacksonville is one of the foremost transportation centers in America, where rail, water, air and truck lines meet.

Currently within the sphere of Jacksonville's influence nearly a million people now reside and work - exclusive of those in Jacksonville and Duval County. These people from remot points look to Jacksonville as their central trading, financial and cultural center. The area is well served with highways and other diverse means of transportation, making Jacksonville easily accessible from all points.

#### POPULATION AND AREA GROWTH

Since the initial Hart Plat of 1822, Jacksonville has experienced a succession of corporate area expansions (1832, 1842, 1887, 1919, 1925 and 1934), until today it comprises an area of 39.38 square miles (30.21 square miles of land and 9.17 square miles of water), on both sides of the Saint Johns River.

Since the turn of the century but more particularly in the last two decades, the improved economy and growth of the South has been reflected in the population and area growth of Jacksonville. From a population of less than 30,000 in

## POPULATION GROWTH -- UNITED STATES -- FLORIDA -- DUVAL COUNTY -- JACKSONVILLE

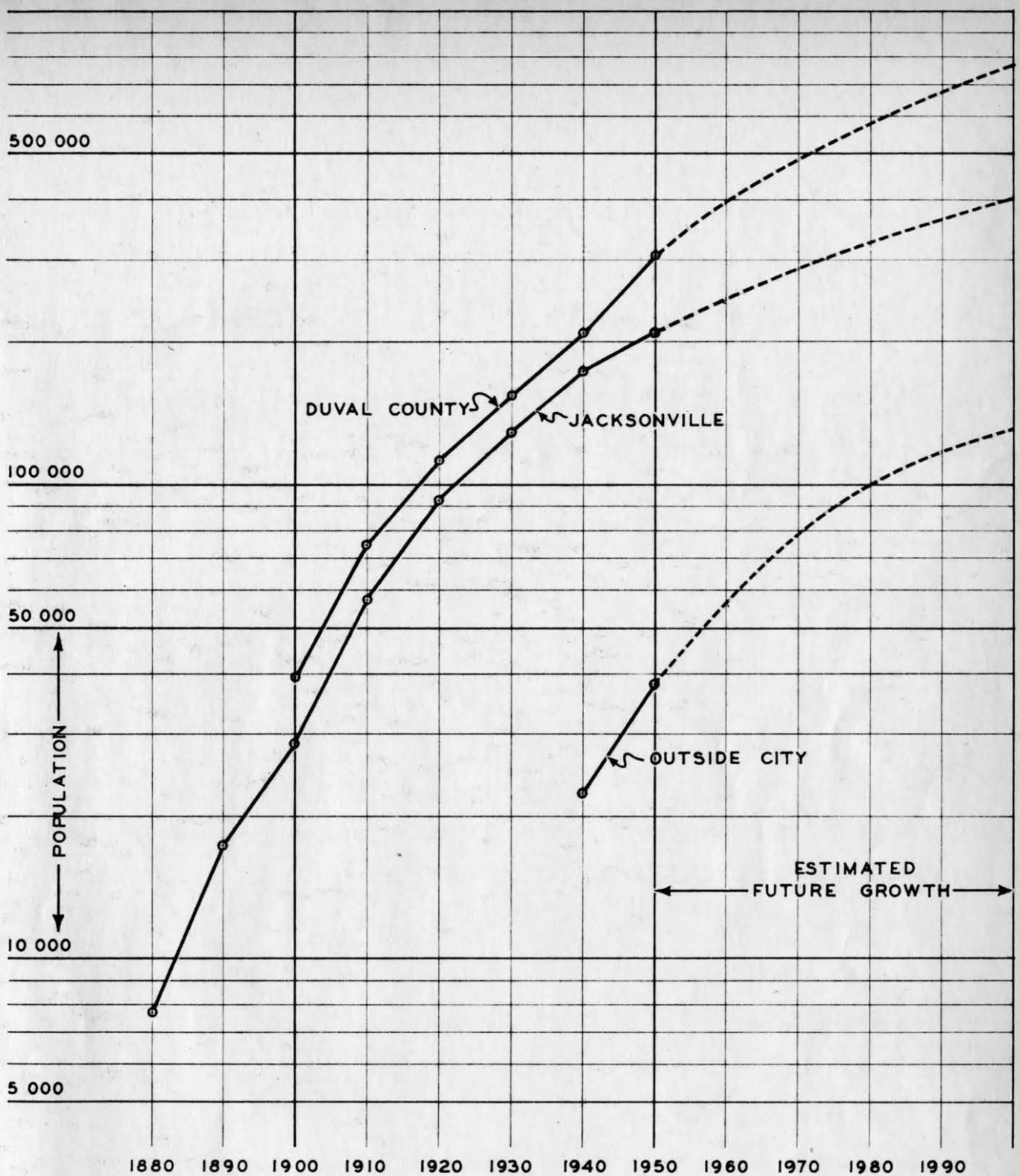
	UNITED STATES	FLORIDA	DUVAL COUNTY	JACKSONVILLE	COUNTY LESS JACKSONVILLE
1890	62,947,714	391,422	26,800	17,201	124.8%
1900	75,994,575	528,542	39,733	28,420	65.3%
1910	91,972,266	752,619	75,163	57,699	103.0%
1920	105,710,620	968,470	113,540	91,558	58.7%
1930	122,775,046	1,468,211	155,503	129,549	41.5%
1940	131,409,881	1,897,414	210,143	173,065	33.6%
1950	150,697,361	2,771,305	304,029	204,517	18.2%
1953	158,500,000				99,512 168.0%

1900, the city has grown steadily and substantially in the fifty year period to a position of the 56th city in the United States, with a 1950 population of 204,517, and an estimated population currently in excess of 250,000.

Since 1910 the population within the corporate area has increased at a declining rate, from a growth of 58.7 per cent in the decade 1910-1920 to 18.2 per cent in the decade 1940-1950. The latter percentage of growth (1940-1950) reflects to a degree the movement of population that has been taking place within the city and its surrounding areas. The trend of population movement from the center of the city to the periphery and beyond is more clearly revealed by the population increase of 168 per cent in Duval County outside the City of Jacksonville in the decade 1940-1950.

#### PERIPHERAL URBANIZED GROWTH

The United States Bureau of the Census in its 1950 tabulations included a new classification designated as Urbanized Areas, comparable to the Metropolitan Areas of the 1930 and 1940 census. Urbanized Areas include the corporate area of the central city plus those developed areas immediately adjacent and contiguous thereto, which are for all intents and purposes integral parts of the central city, its physical structure, life and economy. The population of that portion of the Urbanized Area of Jacksonville outside the corporate area of the city increased from 22,554 in 1940 to 38,392 in 1950, an increase of 70 per cent in the decade. The developed areas included in the Urbanized Area of the Census outside Jacksonville are so restricted however that they do not reveal fully all of the population in the whole peripheral metropolitan area. Exclusive of such corporate and unincorporated communities as Baldwin, Dinsmore, Atlantic Beach, Neptune Beach and Jacksonville Beach, there were in 1950 87,653



## POPULATION GROWTH CURVE OF JACKSONVILLE, FLA.

SHOWING GROWTH OUTSIDE CITY AND  
DUVAL COUNTY



4

people living in the County area outside the corporate limits of Jacksonville. Deducting the 38,392 people recorded in the outer area by the census still leaves 49,621 people in the remainder of the County of which it is reasonable to assume that at least 40,000 resided within the immediate metropolitan area. On this basis of reasoning, it would appear that instead of 38,392 people, there were in 1950 nearer 75,000 to 80,000 people residing in the peripheral portion of the Jacksonville Metropolitan area. Obviously these figures reflect only conditions prevailing in 1950. Since that time the population increases have been accelerated in the outer areas as are shown by the record of Building permits issued by the County for residential use.

In the seven year period 1946-1952, inclusive, a total of 8,835 permits for various types of residential structures were issued by the Building Department of the City of Jacksonville. In that same period, 17,366 permits for comparable structures were issued by the County, outside Jacksonville - twice as many. 9,200 or 53% of the above total of County permits and 3,688 or 41.7% of the above total of City permits were issued after the Census Reports of 1950. In as much as the County does not issue permits within the corporate beach communities it is reasonable to assume that most of them have been issued in the Jacksonville Metropolitan Area.

Of the residential permits issued in the County for the years 1951 and 1952, the following number were issued in the following respective County Commissioner's districts as now constituted (1953).

		<u>1951</u>	<u>1952</u>	
Commissioner's District	1	71	92	Northeast section of County
	2	518	450	Riverview-Garden City area
	3	233	235	West section of County
	4	657	840	Lake Shore, Venetia and South
	5	1,256	1,379	Southside to beach but not including beach cities

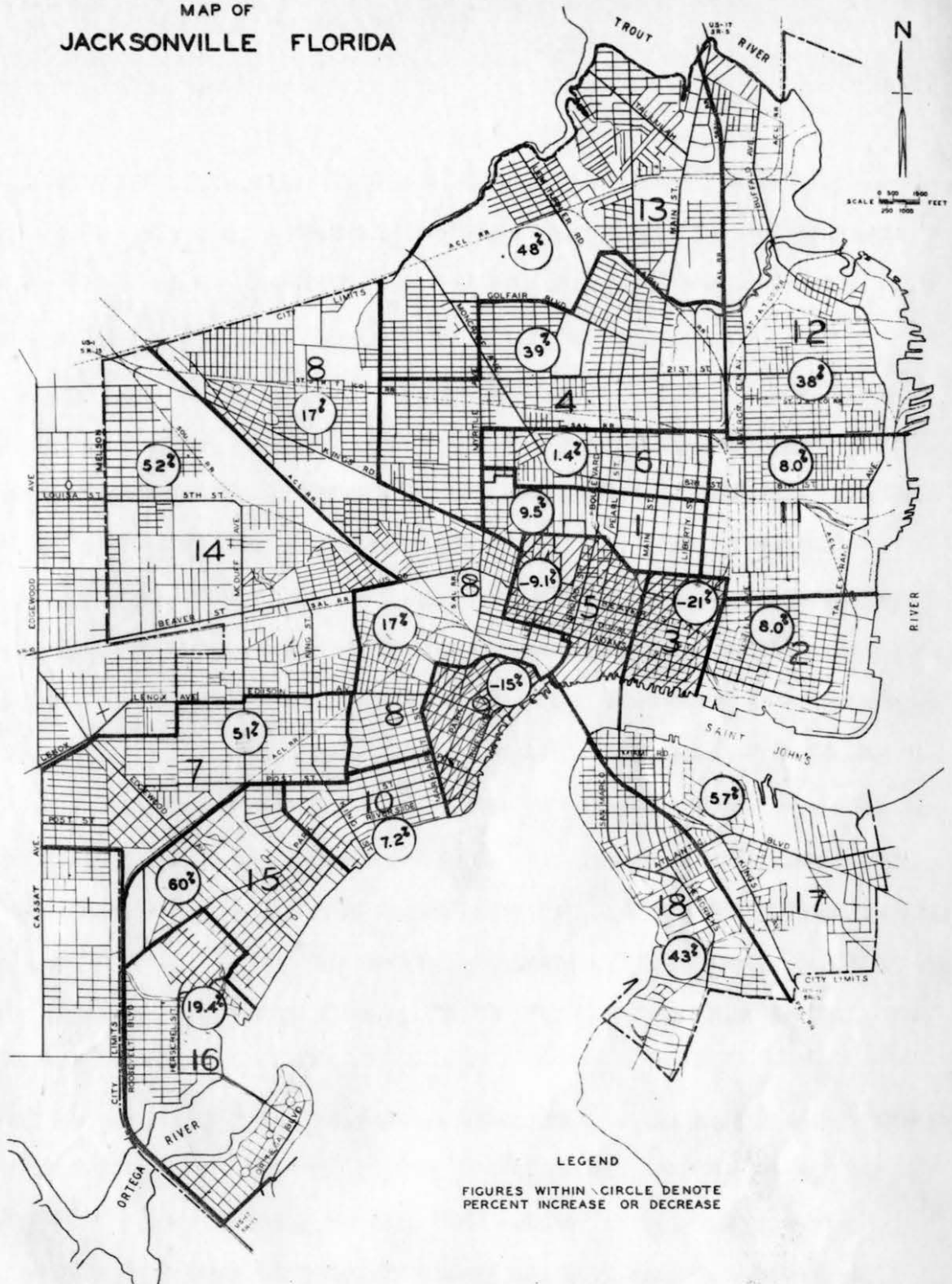
The 1950 Housing Census of Jacksonville, as prepared by the United States Bureau of the Census further emphasizes the above trend. It reveals that as of 1950 there were 91,027 dwelling units in Duval County of which 60,465 were in Jacksonville or 30,562 outside Jacksonville in the County. This census shows also that there was an increase of 8,189 dwelling units in the County outside the City during the decade 1940-1950.

From these various studies the magnitude of growth of Jacksonville outside the corporate limits is very apparent, a fact readily verified by a field inspection of the area. Figure 1 shows how closely the larger residential subdivisions of recent years are clustered immediately around the corporate area of the city.

#### INTERIOR POPULATION MOVEMENTS

The intensive peripheral development has also been accompanied by decisive population movements and changes within the city. Old residential areas surrounding the central business district have responded largely to the demands of commercial and industrial expansion. Such old residential sections as Springfield, Fairfield and Riverside have become more extensively identified with multiple family dwellings, rooming and boarding houses with businesses exerting

# MAP OF JACKSONVILLE FLORIDA



## POPULATION CHANGES 1940-1950

GEORGE W. SIMONS JR.  
PLANNING CONSULTANT  
JACKSONVILLE FLORIDA

FIGURE NO. 2

pressures for further changes. Figure 2 illustrates how the population has moved within the city in the decade 1940-1950. The central core of the city north of Bay Street to Springfield Park and between Myrtle Avenue and the railroad yards of the Saint Johns Terminal Company on the east, experienced a decisive population decline as did the area encompassed by the River, Margaret Street and Myrtle Avenue south of the Jacksonville Terminal Company property. Commercial and industrial expansion has been very active in this central area. Population increases in the Springfield section between Hogan Creek and the Seaboard tracks; in the Fairfield section and in the Riverside section between Cherry and Margaret Streets and between Post Street and the River were all less than ten per cent in the 1940-1950 decade. Receding from these several sections toward the City Limits, the population increases have accelerated - 60% for the Avondale section, 51% for Murray Hill, 19% for Ortega-Saint Johns Park, 52% in the Lackawanna-Woodstock sections; 39%-48% in the New Springfield, Brentwood, Norwood, North Shore and Panama Garden Sections and 38% in the northeast section north of 14th Street, between the Seaboard railroad and the river. South of the river the population increased 43% west of the Florida East Coast Railroad and 57% east thereof.

Altho the development of residential areas outside the city has been intensive, similar development within the city has also been very active. Figure 3 shows the trend of new building construction within the city for several selected years. The trend of movement toward the periphery is however very noticeable.

The Housing Census of 1940 and 1950 included the number of dwelling units within the city; it also reflected their status as to occupancy. In 1950 there were according to the Census Reports 60,465 dwelling units within the city or





# **LEGEND**

- SINGLE FAMILY DWELLINGS
- TWO FAMILY DWELLINGS
- ◻ GARAGE APT - ACCESSORY BLDG.
- △ RETAIL BUSINESS
- × WHOLE BUS - GAS STA - GARAGES
- INDUSTRIAL
- PUBLIC SEMI-PUBLIC B'L DGS.
- CHURCHES
- SCHOOLS

LOCATION OF  
NEW CONSTRUCTION  
1937 — 1944  
FROM RECORDS OF  
CITY BUILDING INSPECTOR AND F.H.A.  
CITY OF  
JACKSONVILLE, FLA.

25 NUMBER OF DWELLINGS 1942 - 1944 BY F.H.A.

GEORGE W. SIMONS, JR.  
CITY PLANNING ENGINEER  
JACKSONVILLE, FLA.  
1945

FIGURE NO. 3A



FIGURE NO. 3B

GEORGE W. SIMONS JR.  
 CITY PLANNING ENGINEER  
 JACKSONVILLE, FLA.  
 1950

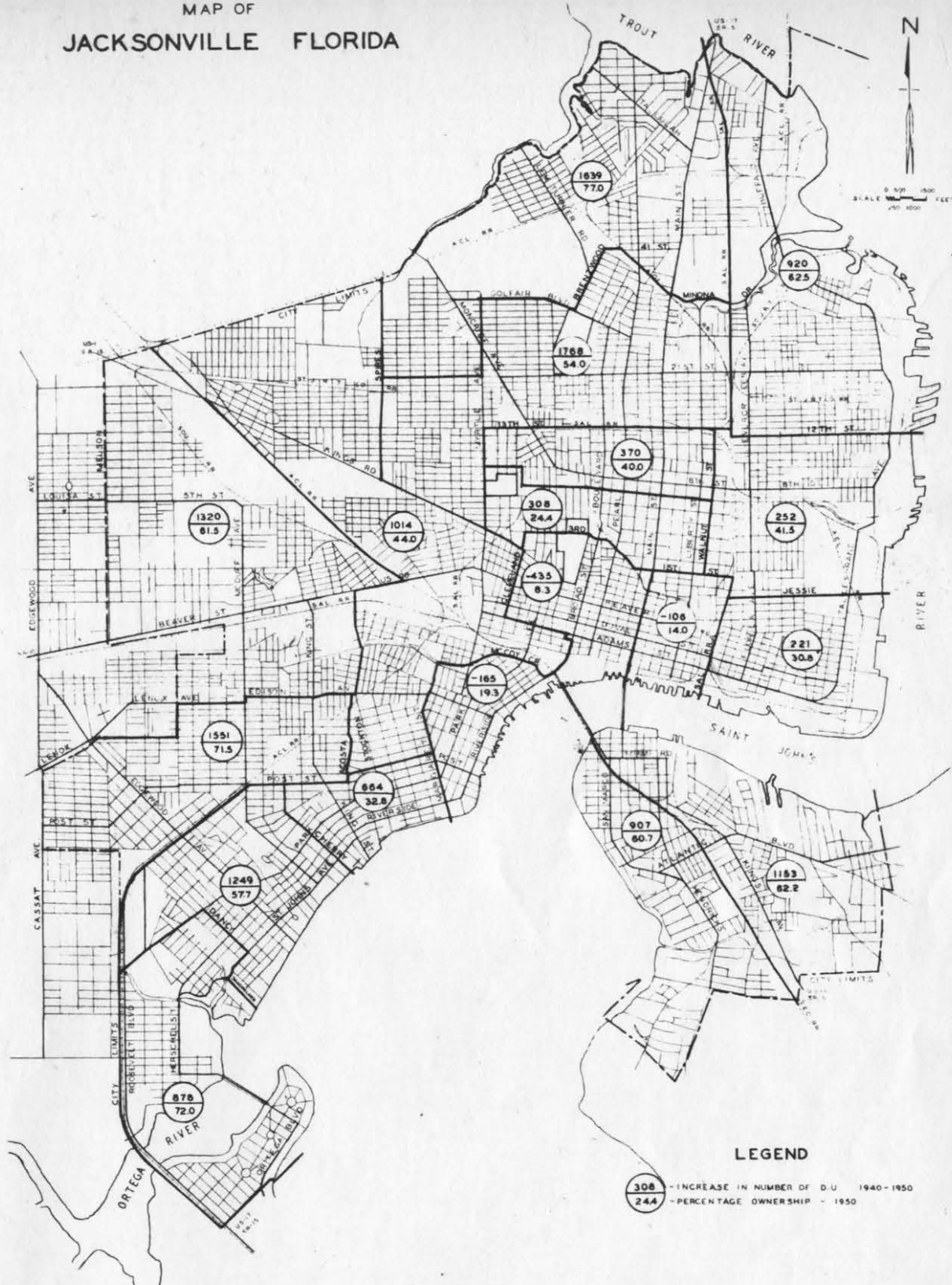


an increase of 25,022 over 1940. Figure 4 shows the increase in the number of dwelling units as reported by the 1940 and 1950 Housing Census, in the decade. Just as the population trends showed a decrease in the central core, the same area showed a decrease in dwelling units. The outer areas toward the city limits again reflected increases in dwelling units. It is of particular interest to note that as one proceeds from the center outward the percentage of home owner occupancy increases. The older areas show a relatively higher percentage of rental tenancy.

The population growth of Jacksonville and the area contiguous thereto can also be judged by the increase in school enrollment and the increase in other facilities. A school enrollment of 37,429 in 1945 in Duval County increased to 52,042 in 1952, of which 37,333 (39.4%) were in city schools. Whereas the enrollment in the city schools increased less than 10% between 1950 and 1952 that of schools outside the city increased about 33%. This trend is further emphasized by the construction of many new schools and extensions that have been made or are in progress outside the corporate area of the city.

These various studies of population and physical movements and trends, reveal clearly the changes that are in progress, especially as they relate to land uses. Population increases as one recedes from the center. The central core as represented by the Central Business District and the areas immediately contiguous thereto are losing population and the outer areas are gaining. Old residential dwellings in the central area are deteriorating, giving way to commercial expansion. The trend of new residential growth is most pronounced in the outer areas of the city and beyond. It is noteworthy however that much of the older Riverside and Springfield areas still retain their residential characteristics altho many of the older single family dwellings are now inter-

# MAP OF JACKSONVILLE FLORIDA



## INCREASE IN DWELLING UNITS

1940 - 1950



spersed with apartment dwellings and more recently, the medical clinic has made its appearance in these multiple family sections. It is also noteworthy that as new residential areas are developed new and compact neighborhood shopping centers are being developed and in some instances, the older commercial districts have expanded. New industrial and distribution sections have come into being and old ones have expanded to accomodate the increased demands for industrial properties. The various changes that have taken place are indicative of the growth and activity in the community as a whole. Their extent and nature is ample justification for the changes that are being proposed in the zoning map and ordinance.

Thru the years the extension and improvement of streets comprising component parts of a major framework have been factors in the development of outlying residential areas. Most of the improvements made by the Engineering Department have followed the delineation of major thoroughfares recommended in the Comprehensive Planning Report of 1928-1929. Such improvements as Roosevelt Boulevard to the south, 21st Street across town, Stockton Street, McDuff Avenue, Edgewood Avenue in Murray Hill, Hendricks Avenue, Beach Boulevard, Talleyrand Avenue and others have greatly accelerated traffic movements in the areas served by them and to a degree influenced property uses along them.

The Super Highway likewise when completed, will compliment the prevailing street system and its traffic movements.

#### LAND USES

A study of existing land uses in Jacksonville and its environs illustrates the dynamics of the community and its economy. Whereas in many communities the utilization of lands has been more pronounced in a single direction, in Jackson-

ville land development has been pronounced in all directions. The Naval Air Station has motivated considerable new residential and commercial development to the south and southwest, on the west side of the river. Industrial development and activity along the river on the east and the northerly trend of commerce from the Central Business District have activated much residential development northward in the vicinity of Trout River, Norwood, Brentwood, Lake Forest, Riverview, North Shore and Panama Park. With the opening of the Mathews Bridge the eastward trend into Arlington will be accelerated. The southward and eastward trend toward the beaches on the southside of the river has been pronounced for a number of years.

The Central Business District only a few years ago was restricted to a relatively small area but within recent years it has expanded in all directions. Practically all lands south of Hogan Creek are now identified with commerce or light industry. The erection of the new Federal Reserve Bank, the Saint Johns Apartments, and the proposed Independent Life Building will intensify the attraction in that direction which however will be countered by the attraction of the Mathews Bridge, the proposed Court House and the intensified industrial activity to the east. Then too, the erection of the Baptist Hospital, and the Prudential Building on the southside will exert a further pull across the river southward. Obviously all these forces are broadening the commercial base of the central city.

Industrial development and expansion has also influenced the trend and character of land uses. Noteworthy is the development of the Dennis Street distribution and industrial area west of Myrtle Avenue and north of McCoys Creek. Development in this particular section is characteristic of the modern type of commercial structure. Another extensive area now being developed is

that west of Cassatt Avenue south of the Seaboard tracks. Then there is the area of industrial-distribution development along Beaver Street, west of the Beaver Street Viaduct, especially that between Beaver Street and the Seaboard shops south of Woodstock. Other areas of intensive commercial-industrial activity are those in the vicinity of Main, Liberty and Pearl Streets and the Seaboard tracks and the industrial activity east of Florida Avenue along the river northward to Trout River. New and enlarged industrial areas are for the most part being located adjacent to the main highways, the railroad facilities and the river.

In addition to the influences of these various industrial-commercial areas on the land use pattern of the city, there is the influence of the Super Highway thru the city. Thru many sections the highway will create a division between uses, especially in the vicinity of proposed interchanges. On the southside, between San Marco Boulevard and Hendricks Avenue, the proposed highway with its various bridge interchanges will eliminate many blocks of land now utilized by residences. The full effect of the Highway will not be felt or known until it has been completed but notwithstanding its effect should be anticipated.

Zoning regulates the uses of private property for the welfare of the community as a whole. Thru the agency of zoning the city is guided into a pattern of growth and development beneficial to all the people and the economy of the city. The zoning districts established enable the people to anticipate with a greater degree of assurance and certainty where physical developments of varying kinds and purposes will be located. It protects the residential property owner particularly by giving him a greater sense of security in his investment once made by protecting him generally from the encroachment or invasion of business or industry into his area of residential development.

The comprehensive zoning plan however must not be so rigid as to stifle progress. Thru its administration a degree of flexibility is introduced so that the forces directing community growth can be evaluated and be provided for. This need has been recognized in the past in Jacksonville. Old areas that have maintained their residential complexion for years have been replaced gradually by the demands to meet expanding commercial and industrial needs. Care must be exercised however that the enthusiasm stirred by such demands do not destroy an inordinate amount of property still suitable for residential uses. It must not be overlooked that people have rights and dwellers should not be pushed indiscriminately to areas that might not only penalize them, but the city too. Pushing people to areas beyond the city deprives the city of voting strength and at the same time penalizes the city to provide streets and utilities for those who contribute nothing to the city. If the various areas within the city can be redeveloped and protected along orderly, pleasing lines much of the population now going into areas beyond the city will remain and contribute substantially to the city's growth.

Zoning is done under the police powers of the city. The authority to zone originates with the legislature. In the case of Jacksonville, the authority to zone was conferred on the city in its amended charter (1923). Since that time however, in 1939, the comprehensive zoning enabling act was adopted by the legislature, which authorizes all cities in Florida to zone. The State enabling act is far more comprehensive in its provisions than the charter provision therefore it is recommended that any revised ordinance be adopted pursuant to the provisions of the general enabling act of 1939, which provides other things that a city may establish a Board of Adjustment to review applications for variances on appeal. This provision would eliminate from the Commission or



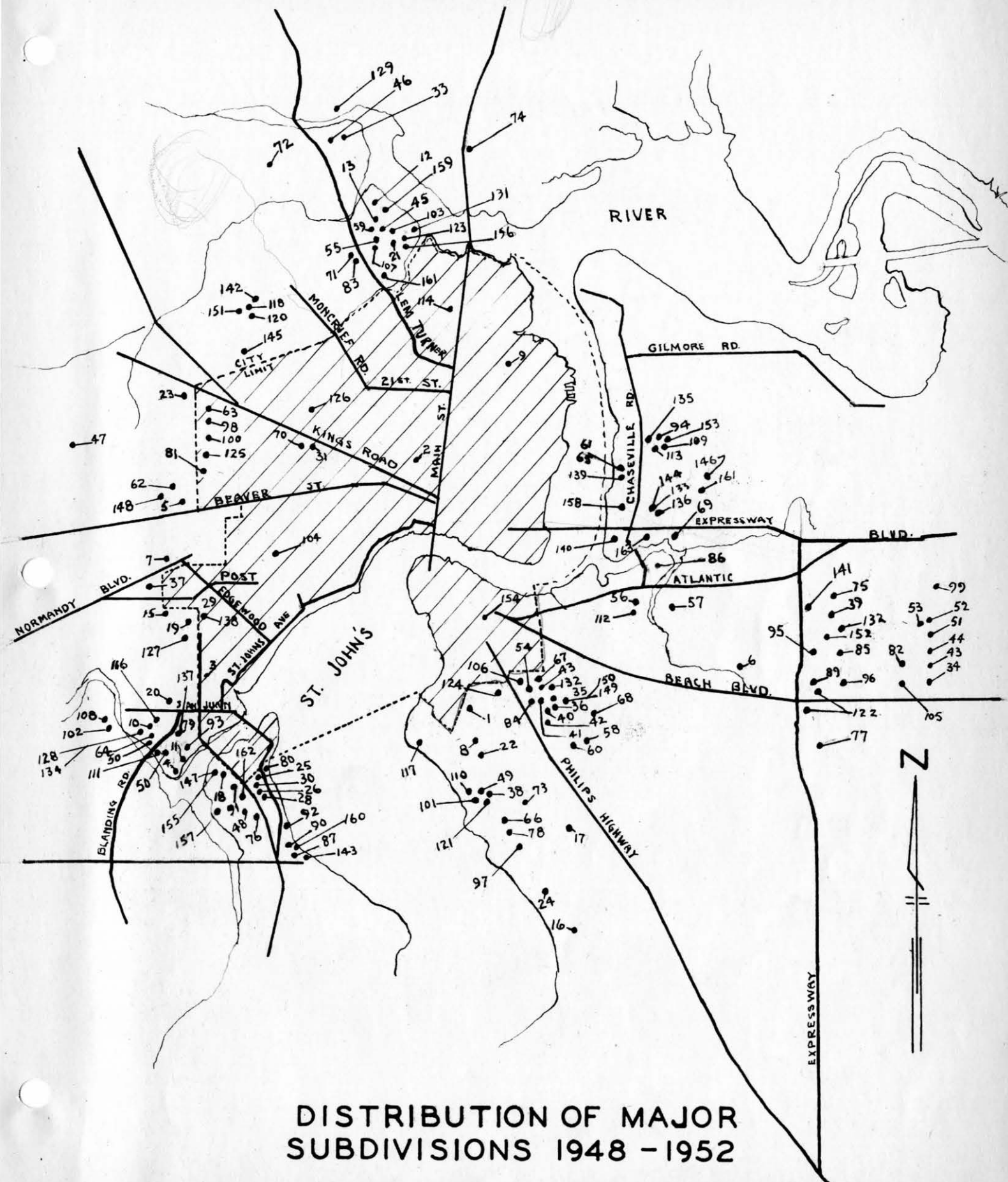
Council a consideration of the multiplicity of amendments that are now necessary under the existing plan. Under the state enabling act the Board of Adjustment has no authority to amend the ordinance or map. It can only, after due consideration, interpret the provisions of the ordinance, and after public hearing grant variances in hardship cases yet in so doing it must maintain the spirit of the ordinance and plan as a whole. Another provision of the proposed ordinance will require the appellant to the Board of Adjustment to deposit with his application a sum to meet advertising costs of hearings. The substance of this provision is now included in a local bill now before the legislature.

Zoning, as a regulatory procedure, is not new to Jacksonville. Jacksonville has had the beneficial effects of zoning since 1925 when the first ordinance and map prepared by the late John Fowler, was prepared and adopted. At that time Jacksonville was considerably smaller in area than now, and its population was less than 100,000. At that time, zoning was comparatively new in America, the first comprehensive ordinance having been adopted by New York City only nine years before in 1916. And it was not until 1926 that the United States Supreme Court in the famous Euclid case validated zoning as a proper municipal procedure and function. The Fowler plan was operative until the adoption of the present ordinance in 1930 that was made pursuant to the City Plan of 1929.

Altho some provisions of the present ordinance have been modified since 1930, its principal features and text remain unchanged. The most recent major amendment was that changing the district previously designated "Unrestricted except for nuisance" to "Business C".

According to the charter provision, the City Commission virtually acts as a judicial Board of Adjustment however since the creation of the City Planning Advisory Board in 1928 that Board has acted in a capacity advisory

# GREATER METROPOLITAN AREA JACKSONVILLE FLORIDA



to the City Commission and City Council. Appeals for variances or amendments to the zoning map are made to the City Commission which body refers same to the City Planning Advisory Board for review, study and report. Reports of the Board are acted upon by the City Commission and when favorable, are referred to the Council for definitive action. As a result of this procedure the ordinance has been amended many times since its adoption in 1930 - twenty-three years. But singularly, despite this seemingly large number of amendments, no significant changes have been made in the major zone classifications or their boundaries. By far, the greater number of changes have been made in border line areas in which transition has been recognized.

Changes in zoning have also been authorized by the so-called variance route whereby the use of a given property may be changed after public hearing and with the consent of the property owners residing within two hundred feet of the property affected.

Judging the city as a whole and the years thru which the ordinance has been operative, the results generally have been beneficial. Neighborhood characteristics have been preserved, shopping areas have been properly located and the purposes of the ordinance have been met. This success of the operation has been due in no small measure to the fine administration by the Building Department and the fine degree of cooperation on the parts of the City Planning Advisory Board and City Commission and Council. All of this has been in the main commendable.

Preliminary to the current proposed revision of the zoning map and zoning ordinance a number of studies were made, among them being:

1. A review and recording on a map of all ordinance amendments made by the City Council since the adoption of the original U-125 in September,

1930. There have been some 230 of these amendments in the twenty-three year period. The sites of these various amendments have been studied to determine the nature of improvements that ensued and the character of development in the areas adjacent thereto.

2. The population growth, distribution and movements in the city and its environs since 1930.
3. The extent and location of new residential, commercial and industrial areas that have been made in recent years. These areas and developments were inspected in the field.
4. A review of the existing ordinance provisions in the light of advances in zoning.
5. A review of administrative procedure in the Building Department supplemented by conferences with the City Building Inspector, City License Inspector and the Zoning Committee of the City Planning Advisory Board.

From these various studies and many conferences with interested property owners, Realtors, members of the Industrial Committee of the Chamber of Commerce, a tentative revised zoning map and ordinance have been prepared for the consideration of the City Commission and City Council.

#### THE EXISTING ORDINANCE

The existing ordinance (Chapter 49 of the 1942 City Code as amended) divides the city into eight (8) districts as follows:

1. Residence "A" District
2. Residence "B" District
3. Residence "C" District



4. Business "A" District
5. Business "B" District
6. Business "C" District
7. Industrial "A" District
8. Industrial "B" District

The Residence "A" Districts are areas devoted principally to single family dwellings, with no business or industry.

The Residence "B" District originally devoted to duplex development was subsequently amended to permit structures having not in excess of four (4) dwelling units, with no retail business or industry except however, customary home occupations, hospitals, rooming and boarding houses are permitted providing there is no exterior advertising signs.

The Residence "C" Districts are areas in which the structures may be divided into multiple dwelling units in excess of four (4). In addition, hotels and boarding houses are permitted.

In the Residence "B" and "C" Districts, single family dwellings are also permitted and in the Residence "C" Districts, duplex or up to four dwelling unit structures are permitted.

The Business "A" Districts, while devoted principally to retail commercial businesses permit a limited amount of light industry which however does not constitute an objectionable nuisance in the area.

The Business "B" Districts are characteristically for wholesale distribution uses as opposed to retailing, however retail businesses are permitted. All types of residential uses are permitted in Business "A" and "B" Districts.

The Business "C" Districts originally designated "Unrestricted except for Nuisance", were given the more specific Business "C" designation by amendment

AA324 adopted in December, 1946. This change also excluded Industrial "A" and "B" uses from the Business "C" Districts.

The Industrial "A" and "B" Districts are devoted primarily to manufacturing enterprises, railroads, docks, etc., however even in them all commercial and residential uses are also permitted. The Industrial "B" Districts are principally those devoted to the heavier types of industry.

The ordinance, in addition to the uses described above generally, prescribes certain other restrictions such as lot area and yard requirements in the residential districts, also regulations pertinent to structure heights and accessory buildings and uses.

Thru its years of operation the present zoning regulations have succeeded definitely in preserving the predominant characteristics of residential neighborhoods. The values of lands and buildings have been conserved by prohibiting the unwelcome, indiscriminate invasion of commerce and industrial enterprises into home areas. The regulations have also been of great value in encouraging the location of commercial shopping districts at strategic points. The compact shopping area strategically located has replaced the demands for ribbon businesses along principal highways. By guiding the right uses into the right places the investments of many people have been conserved and the regulations justified. But obviously the zoning needs of a dynamic community need a revaluation from time to time therefore currently modifications in both the district map and the zoning regulations are both desirable and justified at this time.

## MAJOR CHANGES PROPOSED

### I - CHANGES IN ORDINANCE

In developing and defining changes and modifications in both the map and ordinance suggested by the various investigations, an effort was made not to disturb too severely the basic framework of the present plan that has been operative so effectively for so long a time. The changes are more of degree than of character.

The proposed plan is predicated on existing land uses, trend of population growth, movements and physical development. It retains, with two exceptions, the same district classifications as now; a new Business "AA" District is proposed and the Business "C" District is eliminated.

The proposed ordinance initially includes a more complete and comprehensive list of definitions than the existing one. This expansion is more in keeping with recent practices in metropolitan areas.

The Residence "A" Districts, as in the present ordinance, provide for the development and conservation of characteristically single family neighborhoods. The following changes however are suggested:

- (a) Schools are permitted.
- (b) The minimum lot area requirement per family dwelling unit is increased from 5,000 to 6,000 square feet.
- (c) The minimum lot width is raised to 60 feet at the building line, from a minimum of 40 feet.
- (d) The height of structure is limited to  $2\frac{1}{2}$  stories or 35 feet instead of 3 stories and 45 feet.
- (e) The yard provisions - front, side and rear - are simplified from the present complicated formula.

- (f) Off street parking facilities are required for each dwelling unit.
- (g) A transitional use is permitted on lots immediately adjacent to Commercial-Industrial Districts. On such lots Residence "B" uses will be permitted.
- (h) Secondary dwellings will be permitted on the same lot as the main structure only in event the lot area is at least 12,000 square feet. This will encourage more spaciousness of development and prevent crowding on a small parcel of land.

The increase in the minimum lot area requirement is advised because practically all subdivisions recorded in recent years and many of the older ones have lot areas in excess of 6,000 square feet. The larger lot contributes to a lesser intensity of land usage and further it is more in accord with the current practices of land subdivision and regulations of the FHA. In as much as this feature is not retroactive on plats recorded prior to the adoption of the amended ordinance, lots with areas less than the 6,000 square feet and widths less than sixty (60) feet, can be used for single family purposes. The changed provision affects the future only. It will also preclude the future possibility of small lots of 25-35 feet and areas of 2,500 to 3,000 square feet.

In as much as the prevailing heights in Residence "A" Districts do not exceed 2½ stories, the height change which is now 3 stories is recommended. Three story single family dwellings are not the vogue today.

The Residence "B" and "C" Districts, as in the present ordinance, provide for the development of multiple family dwelling unit structures; the "B" District not to exceed four families and the "C" more than four families. The minimum lot area requirements in the present ordinance are inadequately specified; the height provisions for Residence "B" (four stories) is excessive and the yard



requirements complicated. To clarify and simplify these various features the following changes are suggested:

1. The minimum lot area provisions for a single family dwelling or duplex in a Residence "B" or "C" District shall be 6,000 square feet.
2. The minimum lot area provision for multiple family dwelling units shall be 2,200 square feet for three and four family structures. In other words a four family dwelling structure must have a minimum lot area of 8,800 square feet whereas now it is 3,500 square feet, insufficient to provide adequate yard or parking space.
3. In the Residence "C" area the minimum lot area provisions shall be 6,000 square feet for a single family dwelling and for structures accomodating more than 4 dwelling units, there shall be 400 square feet of lot area for each dwelling unit of more than 3 rooms, 350 square feet for each dwelling unit of 3 rooms and 300 square feet for each dwelling unit of less than 3 rooms.
4. The height provision in Residence "C", unless waived by permission, shall not exceed 4 stories which is the same as now.
5. Provisions shall be made for "Off Street" parking on the lot, one car space for each dwelling unit.

The necessity for these recommendations can be seen readily by examining a number of the multiple family structures that have been built thruout the city in recent years. In many cases the bulk of structure occupies so much of the lot that tenants must park their cars in the street. In case roadways are widened and parking along the curbs is restricted, where will the tenants park? Provisions must be made henceforth for adequate parking space "off-street" consequently the suggested lot area provisions.

The aforementioned proposals do not change the basic land uses nor their respective designations. They merely refine the ordinance to promote a more wholesome and less dense utilization of property and conserve the quality and values of neighborhood development.

The uses permitted in the Residence "C" District have been amplified by the inclusion of physician's and dentist's offices or clinics, convalescent and nursing homes, guest houses and music and dancing studios.

It is recommended that a new Business "AA" District be added to the ordinance, designated as the "Neighborhood Retail Commercial District". This District is inserted primarily to maintain the quality and standards of neighborhood shopping areas. Currently Business "A" is broad and inclusive in its permitted uses even to the extent of permitting a limited amount of light industry. The Neighborhood Shopping Areas of this day are primarily areas to serve the people tributary to them. By design and architectural arrangement they are distinctively retail in character in contrast to many of the uses now common to the Business "A". So far the several neighborhood centers have maintained a good quality and character which should not be injured or despoiled by the invasion of a business or industry that may easily exert a deteriorating effect on the developed properties of the neighborhood as a whole.

The new Business "AA" District also provides that new businesses or blocks established must provide "off street" parking facilities - at least one parking space for each 500 square feet of gross floor area. Loading facilities must also be provided "off street".

The provisions of the Business "A" and "B" Districts remain practically the same as in the existing ordinance except for new construction provisions for "off street parking and loading" must be made. The Business "A" Districts obviously are not as restrictive as the Business "AA" Districts.

Heights of buildings in the Business "A" and "B" Districts are subject to review and approval by the City Building Inspector and the City Commission.

The Business "C" Districts have been eliminated and the lands formerly therein are merged with other districts. Much of the land included in the existing Business "C" Districts is occupied by the dwellings of negroes. Within the past ten years many portions of these areas have been developed with single family dwellings owned and occupied by negroes therefore it would be reasonable and proper to extend to these hundreds of new dwellings, especially in the northwest part of the city, the protection of residential areas. So it is proposed to distribute the Business "C" Districts among residential, commercial and industrial districts depending on the character of land uses and trends in the respective areas.

The provisions of the Industrial "A" and "B" Districts remain the same as in the present ordinance except residential dwelling construction in the Industrial "B" Districts is limited to dwellings at an industrial plant occupied solely by watchmen or caretakers. Such provision will prevent the encroachment of residential development into areas best suited for heavy industrial operations. In the past industrial areas have been considerably curtailed in area by the encroachment of residential developments that could have been more advantageously located elsewhere.

In addition to the above changes and modifications, a section is proposed defining "off-street" parking requirements for diverse uses as for instance, places of public assembly must in their designs provide "off-street" parking facilities - 1 car space for each 10 seats of total capacity. The passenger automobile population of Jacksonville and Duval County is increasing rapidly, at a greater rate than people. Whereas in 1930 there were 5.3 people for

every registered passenger automobile in Duval County, in 1940 there were 4.8 people and in 1950 there were 3.9. The passenger automobile population of Duval County increased from 43,698 in 1940 to 82,503 in 1951, nearly doubled. With this population increasing at great strides it is incumbent on developers of properties to provide adequate "off-street" parking facilities so the street channels can be left free for flowing traffic.

Another significant proposal provides for the appointment of a Board of Adjustment pursuant to and performing in accord with the provisions of the State Enabling legislation. Such an administrative feature will greatly minimize the necessity of amendments by the Council. The Board of Adjustment is included in practically all zoning ordinances today. As a quasi-judicial body the Board of Adjustment has three principal functions:

1. Interpretation of the provisions of the ordinance.
2. Examination of the facts and decide on applications for special exceptions or permits as specifically provided in the zoning ordinance.
3. Adjustments or variance in the application of provisions of the zoning ordinance to a particular parcel of land.

The Board of Adjustment however does not have the right of amendment which is a sole prerogative of the Council after public hearing. Public hearings must also precede decisions of the Board of Adjustment.

The proposed ordinance further provides that the City Building Inspector and the City License Inspector are ex-officio members of the Board of Adjustment. And too, a provision is included requiring any appellant for a change in zoning or in the regulations, to post a fee to meet the expenses incident to advertising.



## II - CHANGES IN THE MAP

The delineation of the various districts on the map, their extent and use classifications, resulted from the coordinated study of existing land uses, trends of population movements and distribution, trends of new building construction and its types.

An important factor influencing the ultimate land use pattern of the city and the boundaries of the various districts is the routing of the proposed Super Highway thru the city. Divided into two principal portions, it extends from Trout River on the north in a generally southerly direction to its crossing of the Saint Johns River at Gilmore Street (Butler bridge) thence easterly and southerly to an intersection with the Phillips Highway (U. S. 1) near Bisers restaurant. A second leg extends easterly along 21st Street to Haines Street and thence southerly to the approach to the Mathews bridge across the Saint Johns River. The latter approach also extends westerly to Liberty Street where it divides between State and Union Streets (U. S. 90).

Altho much of the right-of-way of the proposed highway has been acquired, the final design of a number of the interchange structures tying it into the street system of the city, have not been completed. The more elaborate and extensive of these interchange structures will be located on the west leg between Forsyth Street on the south and Kings Road on the north. This is a Master Interchange system affording access between the super highway and the various streets leading into the city. A second extensive interchange structure will be located on the southside between San Marco Boulevard and Hendricks Avenue affording access between the highway and the Main Street and Acosta bridges. A third interchange is at the westerly terminus of the Mathews bridge just north of the Gator Bowl.

The Super Highway with its wide right-of-way, its ultimate depressed and elevated sections and its series of interchange structures will act virtually as barriers between or boundaries of land uses in a considerable portion of its length, a condition that has been anticipated in describing the district boundaries, and their respective use classifications. The proposed highway will be especially effective in the Riverside and South Jacksonville sections from the interchange near Margaret and Gilmore Streets to the west approach to the Gilmore Street bridge and from the eastern end of this bridge to Hendricks and Phillips highways. It will also be an influential factor in the eastern part of the city in the vicinity of the Mathews bridge interchange and Liberty Street to the west. The Haines Street approach from 21st Street will be an important factor to stimulate industrial development between it and the river.

Generally, the characteristics of residential areas (Residence "A", "B" and "C") remain the same. The Residence "A" District has been expanded to the north and northwest and because of the Super Highway, much of the older residential area of Riverside north of Gilmore Street has been changed to Commercial. In several areas the Industrial "A" classification has been expanded to provide more spacious areas for modern industrial development. This is particularly true adjacent to Talleyrand Avenue and the river north of Commodore Point, also in the vicinity of Dennis and Stockton Streets and in the Grand Park area.

One of the principal changes proposed on the map is the conversion of the Central Business District to a Business "B" classification, from Business "A". This classification is more commensurate with the type of development that now occupies the area.

The map and ordinance here proposed are necessarily tentative until their adoption by the City Council. As a result of public hearings both the map and the text of the ordinance as here proposed, may be modified. To expedite and facilitate its consideration, a plan of hearings should be devised by the Council and in the preparation of such plan we shall be pleased to assist. After all hearings have been held and the Council is ready for its final consideration, the final revised map should be prepared.

TENTATIVE DRAFT OF REVISED ZONING ORDINANCE

JACKSONVILLE, FLORIDA

X new title necessary

✓

An ordinance repealing zoning ordinance, No. U-125, passed and approved September 9, 1930, adopting a Comprehensive Plan for the Zoning of the City of Jacksonville, and all amendments thereto, and enacting in lieu thereof a Comprehensive Zoning ordinance to promote the health, safety, morals and general welfare of the inhabitants of the City of Jacksonville, Florida; to facilitate the adequate provisions of transportation, sewerage, water, schools, parks and other public requirements, and to regulate and restrict the location and use of buildings, structures, land and water for trade, industry, residence or other purpose; to regulate and restrict the erection, construction, reconstruction or alteration of buildings; to regulate and restrict the height, number of stories, and size of all buildings and structures and the size of all yards and other open spaces surrounding buildings; to regulate and restrict the density of population, and for all said purposes to divide the city into districts of such number, shape and area as may be best suited to carry out these regulations; to prescribe penalties for the violations of its provisions; to provide for changes and amendments; to provide for its enforcement; to provide for a Board of Adjustment and to prescribe its powers and duties, and repealing all other ordinances or parts of ordinances in conflict herewith.

Whereas, the City has caused a study to be made of growth trends and existing developments within the City; and

Whereas, the study shows a need for revisions and changes in the present zoning ordinance (U-125 and amendments thereto) and for changing the location



*New title removed*

TENTATIVE DRAFT OF REVISED ZONING ORDINANCE

JACKSONVILLE, FLORIDA

An ordinance repealing zoning ordinance, No. U-125, passed and approved September 9, 1930, adopting a Comprehensive Plan for the zoning of the City of Jacksonville, and all ordinances in conflict therewith.

Art I *Delete as only one article*

Comprehensive zoning ordinance to promote the health, safety, morals and general welfare of the inhabitants of the City of Jacksonville, Florida; to facilitate the adequate provision of transportation, sewerage, water, schools, parks and other public requirements, and to regulate and restrict the location and use of buildings, structures, land and water for trade, industry, residence or other purposes; to regulate and restrict the erection, construction, reconstruction or alteration of buildings; to regulate and restrict the height, number of stories, and size of all buildings and structures and the size of all yards and other open spaces surrounding buildings; to regulate and restrict the density of population, and for all said purposes to divide the city into districts of such number, names and area as may be best suited to carry out these regulations; to prescribe penalties for the violation of the provisions; to provide for changes and amendments; to prescribe its powers and duties, and repealing all other ordinances or parts of ordinances in conflict herewith.

*"Lot" + "Building" - specifically defined herein*

*alley = NBE § 200 defines alley as less than 20' wide.*

Whereas, the City has caused a study to be made of growth trends and existing developments within the City; and

Whereas, the study shows a need for revisions and changes in the present zoning ordinance;

*Basement = NBE § 200 - floor level 2' below grade  
can find no reason to distinguish "cellar"*

9/

of some of the boundaries of the present districts in order to more adequately protect existing development and more properly provide for the future requirements of various classes of residence, industry and commerce,

NOW, THEREFORE,

Be it ordained by the Mayor <sup>-Commissioner</sup> and City Council of the City of Jacksonville, Florida:

ARTICLE I

SECTION 1. DEFINITIONS.

For the purpose of this ordinance certain terms or words used herein shall be interpreted or defined as follows:

All words used in the present tense include the future tense; the singular number includes the plural. The word "shall" is mandatory and not directory. The word "person" includes a corporation as well as an individual. The word "lot" includes the word "plot", "parcel", or "tract" and the word "building" includes the word "structure". The words "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied".

Accessory Building. A subordinate building or portion of main building, the use of which is clearly incidental to that of the main building.

X ✓ Alley. A way which affords only a secondary means of access to abutting property but for the purpose of this ordinance, any street or lane less than thirty (30) feet wide.

✓ Apartment. <sup>Building</sup> A building used or designed as a residence for three or more families as separate housekeeping units.

X ✓ Attic. The space between the top story and a pitched roof.

X ✓ Basement. A story partly below ground but having at least one-half of its

of some of the boundaries of the present districts in order to more adequately protect existing development and more properly provide for the future requirements of various classes of residence, industry and commerce.

NOW, THEREFORE,

Be it ordained by the Mayor and City Council of the City of Jacksonville,

Building, Height. See NBE § 200. what is average height of one gable?

SECTION 1. DEFINITIONS.

For the purpose of this ordinance certain terms shall be used herein

shall be interpreted or defined as follows:

All words used in the present sense include the future sense; the singular number includes the plural. The word "shall" is mandatory and not

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"building" includes the word "structure". The words "used" or "occupied" as

applied to any land or building shall be construed to include the words

Cellar = why distinguish from basement?

Court = is NBE includes "yard" - why distinguish?

Alley. A way which affords only a secondary means of access to abutting

property but for the purpose of this ordinance, any street or lane less than

Curb level - See NBE § 200 - grade

thirty (30) feet wide.

Apartment. A building used or designed as a residence for three or more

tenants as separate housekeeping units.

Attic. The space between the top story and a pitched roof.

Basement. A story partly below ground but having at least one-half of its

height above the average level of the adjoining ground or above the curb level.

A basement shall be counted as a story.

Boarding House. A building other than a hotel, where lodging and meals for five or more persons are served for compensation. (*Dwelling*)

X ✓ Building. Any structure for the support, enclosure, shelter or protection of persons, animals, chattels or property; and when separated by dividing walls without openings, each portion of such building so separated shall be deemed a separate building.

X ✓ Building, Height of. The vertical distance from the mean <sup>abutting</sup> grade of the curb of each street to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the average height of the highest gable of a pitch or hip roof. On a corner lot the height shall be measured from curb grade of the street of greatest width, and where the widths are the same, from the highest <sup>curb</sup> (mean) grade upon which it abuts, and if the building does not abut directly on a street, above the mean grade of the ground adjoining the buildings.

X ✓ Cellar. A story having more than one-half of its height below grade.

X ✓ Court. An open unoccupied space other than a yard, on the same lot with a building and which is bounded on two sides or more by the building. A court which extends for its full width to a street, rear, side or front yard is an outer court. A court not thus extending is an inner court.

X ✓ Curb level. The curb level or grade is the elevation of the street curb established by the City Engineer.

Dwelling, one family. A detached building designed for or occupied exclusively by one family and having only one kitchen.

Dwelling, two family. A building designed for or occupied exclusively by



height above the average level of the adjoining ground or above the curb level.

A basement shall be counted as a story.

Boarding house. A building other than a hotel, where lodging and meals

for five or more persons are served for compensation. (Dwelling)

X Building, any structure for the support, enclosure, shelter or protection

of persons, animals, objects or property; and when separated by dividing walls

without openings, each portion of such building so separated shall be deemed a

separate building.

X Building, Height of. The vertical distance from the mean grade of the

curb of each street to the highest point of the coping of a flat roof or to

X the deck line of a mansard roof, or to the average height of the highest gable

of a pitch or hip roof. On a corner lot the height shall be measured from

curb grade of the street of greatest width, and where the widths are the same,

from the highest (mean) grade upon which it stands, and if the building does not

abut directly on a street, above the mean grade of the ground adjoining the

buildings.

X Gellar. A story having more than one-half of its height below grade.

X Court. An open unoccupied space other than a yard, on the same lot with

a building and which is bounded on two sides or more by the building. A court

which extends for its full width to a street, rear, side or front yard is an

outer court. A court not thus extending is an inner court.

Home Occupation: Personal services(?)  
X Curb level. The curb level or grade is the elevation of the curb level

Signs - what does this mean - appearance?  
a sign 16 ft or less is allowed in R.A.

Dwelling, one family. A detached building designed for or occupied exclu-

sively by one family and having only one kitchen.  
Dwelling, two family. A building designed for or occupied exclusively by

two families, living independently of each other and each having a kitchen.

✓ Dwelling, multiple. A building or portion thereof used or designed for occupancy by three or more families, living independently of each other and each having a kitchen.

? Family. A group of one or more persons occupying a premises and living as a single house-keeping unit as distinguished from a group occupying a boarding house, lodging house or hotel, as herein defined.

Frontage. Property on one side of the street measured along the line of the street.

Garage, Private. A detached accessory building or portion of a main building used for the parking or temporary storage of automobiles of the occupants of the main building. A carport would be considered a private garage.

2x Garage, Public. A building or portion thereof, other than a private or storage garage, designed or used for servicing, repairing, equipping, hiring (or selling) or storing motor-driven vehicles.

7x Garage, Storage. A building or portion thereof, designed or used exclusively for the storage or parking of four or more motor driven vehicles.

Guest House. Living quarters within a detached accessory building located on the same premises with the main building, for use by temporary guests of the occupants of the premises; such quarters having no kitchen facilities and not rented or otherwise used as a separate dwelling.

Guest Home. A private residence in which accommodations are provided for compensation for transients, especially motor tourists or travelers.

Home Occupation. Any occupation or profession offering services to the general public, carried on by a member of the family residing on the premises, in connection with which there is no display or signs that will indicate from the exterior that the building is being utilized (in whole or) in part for any

two families, living independently of each other and each having a kitchen.  
 Dwelling, multiple. A building or portion thereof used or designed for  
 occupancy by three or more families, living independently of each other and  
 each having a kitchen.  
 Family. A group of one or more persons occupying a premises  
 as a single housekeeping unit as distinguished from a group occupying a board-  
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 Frontage. Property on one side of the street measured along the line of  
 the street.

Garage, Private. A detached accessory building or portion of a main build-  
 ing used for the parking or temporary storage of automobiles at the convenience of  
 the main building. A carport would be considered a private garage.  
 Garage, Public. A building or portion thereof, other than a private or  
 storage garage, designed or used for servicing, repairing, equipping, hiring  
 (or selling) or storing motor-driven vehicles.

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 general public, carried on by a member of the family residing on the premises,  
 in connection with which there is no display or signs that will indicate from  
 the exterior that the building is being utilized in whole or in part for any

*How can dentist work without equipment?*

*area to be used?*

*Lat = officially approved place?*

*Lat of Record: "wiley" which is a part of a subdivision??*

purpose other than that of a dwelling and in connection with which there is kept no stock in trade nor commodity sold upon the premises, no person is employed (other than a member of the family residing on the premises) and no mechanical equipment is used except such as is customary for purely domestic or household purposes. An office of a physician, surgeon, dentist, accountant, bookkeeper, architect, engineer, lawyer, manufacturer's sales agent or representative, insurance agency, artist, musician is considered a home occupation (provided however that such office is incidental to the main use of the building as a dwelling.)

**Hotel.** A building occupied as the temporary abiding place of individuals who are lodged with or without meals and in which there are more than twenty sleeping rooms and no provisions are made for cooking in any of the rooms.

**Loading Space.** A space on a lot accessible to an alley or street, not less than twelve feet in width and twenty-two feet in depth.

**Lodging House.** A building other than a hotel where lodging for five or more persons is provided, for compensation. *Dwelling*

✓ **Lot.** A parcel of land occupied or to be occupied by one main building and its accessory buildings with such open spaces and parking spaces as are required under this ordinance and having its principal frontage upon a street or ~~officially approved place.~~

**Lot of Record.** A lot (which is part of a subdivision) the plat of which has been recorded in the office of the Clerk of the Court of Duval County, Florida, or a parcel of land, the deed to which has been recorded in the office of the Clerk of the Court of Duval County, Florida. *plotted see title 2*

**Lot, Through.** An interior lot having frontage on two parallel or approximately parallel streets.



non-conforming lot.

a lot of record conforming to the minimum requirements as to dimension and area of ordinance 4-175, as recognized as an exception thereto, but not conforming to such requirements hereof.

Story: NBC § 200 includes "a mezzanine shall be considered a story if it exceeds 33 percent of the area of the floor immediately below."

street see alley.

**Lot, Depth.** The depth of a lot is the mean distance from a street line of the lot to its opposite rear line, measured in the mean general direction of the side lines of the lot.

**Non-conforming Use.** Any building or land lawfully occupied by a use at the time of the passage of this ordinance or amendments thereto which does not conform after the passage of this ordinance or amendments thereto with the use regulations of the district in which it is situated.

**Parking Area, Semi-Public.** An open area other than a street, alley or place, used for the temporary parking of automobiles as an accessory use to semi-public institutions, schools, churches, hospitals, non-commercial clubs and other places of assembly.

**Parking Area, Public.** An open area other than a street, alley or place, used for the temporary parking of automobiles and available for public use whether free, for compensation or as an accommodation to clients or customers.

**Parking Space.** A surfaced area, enclosed or unenclosed, sufficient in size to store one automobile, together with a surfaced driveway connecting the parking space with a street or alley.

X/ **Story.** That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling next above it.

**Story, Half.** A story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above the floor of such story.

X/ **Street.** A public thoroughfare not less than thirty (30) feet wide.

X/ **Street Line.** A street line is the dividing line between a street and a lot.

X/ **Structure.** Anything constructed or erected, the use of which requires lo-

lot, depth. The depth of a lot is the mean distance from a street line of the lot to the opposite rear line, measured in the mean general direction of the side lines of the lot.

Non-conforming use. Any building or land lawfully occupied by a use at the time of the passage of this ordinance or amendments thereto which does not conform after the passage of this ordinance or amendments thereto with the use regulations of the district in which it is situated.

Parking Area, Semi-Public. An open area other than a street, alley or place used for the temporary parking of automobiles as an accessory use to semi-public institutions, schools, churches, hospitals, non-commercial clubs and other places of assembly.

Parking Area, Public. An open area other than a street, alley or place used for the temporary parking of automobiles and available for public use whether free, for compensation or as an accommodation to clients or customers.

Parking Space. A surfaced area, enclosed or unenclosed, sufficient in area to store one automobile, together with a surfaced driveway connecting the parking space with a street or alley.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between that floor and the ceiling next above it.

Story, Half. A story under a gable, hip or gambrel roof, the wall planes of which on at least two opposite exterior walls are not more than two feet above the floor of such story.

2. (1) which, in the order of highest restriction and classification to the lowest shall be
- Street line. A street line is the dividing line between a lot and the street.
  - Structure. Anything constructed or erected, the use of which requires...

cation on the ground or that it be attached to something having a location on the ground. Includes the terms building, appurtenances, wall, platform, staging or flooring used for standing or seating purposes, a shed, fence, sign or billboard on public or private property, or on, above or below a public street or highway.

X✓ Structural Alterations. Any change in supporting members of a building such as foundations, walls, columns, beams or girders.

Tourist Court (Motel). A group of attached or detached buildings containing individual sleeping or living units for overnight tourists, with garage attached or parking facilities conveniently available to each such unit.

✓ Yard, An open space other than a court, on the same lot with a building, unoccupied and unobstructed from the ground upward. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the mean horizontal distance between the lot line and the main building shall be used.

Yard, Front. A yard extending across the front of a lot between the side yard lines and being the minimum horizontal distance between the street line and the main building or any projection thereof, other than steps, unenclosed balconies and unenclosed porches.

Yard, Rear. A yard extending across the full width of the lot and measured between the rear line of the lot and the rear line of the main building.

Yard, Side. A yard between the building and the side line of the lot and extending from the street line to the rear yard.

## SECTION 2. DISTRICTS.

In order to carry out the provisions of the ordinance the City of Jacksonville is hereby divided into eight (8) districts, <sup>①</sup>known as:



5/2/2  
eaten on the ground or that it be attached to something having a location on the ground. Includes the terms building, apartments, wall, platform, staging or flooring used for standing or nesting purposes, a shed, fence, sign or billboard on public or private property, or on, above or below a public street or highway.

Structural alterations. Any change in supporting members of a building such as foundations, walls, columns, beams or girders.

Tourist Court (Hotel). A group of attached or detached buildings containing individual sleeping or living units for overnight tourists, with garage attached or parking facilities conveniently available to each such unit.

Yard. An open space other than a court, on the same lot with a building, unoccupied and unobstructed from the ground upward. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the mean horizontal distance between the lot line and the main building shall be used.

Yard, front. A yard extending between the front of a lot between the side yard lines and being the minimum horizontal distance between the street line and the main building or any projection thereof, other than steps, unobstructed balconies and unattached porches.

Yard, rear. A yard extending across the full width of the lot and measured between the rear line of the lot and the rear line of the main building.

See 3. Catch line is proper part of section.

Yard, side. A yard between the building and the side line of the lot and extending from the street line to the rear yard.

SECTION 2. DISTRICTS.

In order to carry out the provisions of the ordinance the City of Jacksonville is hereby divided into eight (8) districts known as:

Residence "A" Single Family District

Residence "B" Limited Multiple Family District (4 family district)

Residence "C" Multiple Family District

Business "AA" Neighborhood Retail District

Business "A" Retail Commercial District

Business "B" General Business, Distribution and Light Industrial District

Industrial "A" Industrial District

Industrial "B" Heavy Industrial District

The districts aforesaid and the boundaries of such districts are shown upon the map attached hereto and made a part of this ordinance, being designated as the "Zoning Map of the City of Jacksonville, Florida", and said map and all the notations, references and other information shown thereon shall be as much a part of this ordinance as if the matters and information set forth by said map were fully described herein.

The zoning map as approved by the City Council is reproduced herewith in \_\_\_\_\_ separate parts, and identified as \_\_\_\_\_ all of which sections of the same map covering the corporate area of the city and the key map and chart containing the explanation of symbols and indications which appear on the zoning map, are hereby made a part of this ordinance,

SECTION 3. EXCEPT AS HERINAFTER PROVIDED.

1. No building shall be erected, reconstructed or structurally altered nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located.

2. No building shall be erected, reconstructed or structurally altered to exceed the height or bulk limit herein established for the district in which such building is located.

3. No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established.

4. No yard or other open space provided about any building for the purpose of complying with the provisions of these regulations shall be considered as providing a yard or open space for any other building; provided further that no yard or open space on an adjoining property shall be considered as providing a yard or open space on a lot whereon a building is to be erected.

5. Every building hereafter erected shall be located on a lot as herein defined and in no case shall there be more than one (1) building or structure on one lot, except as hereinafter provided (Section <sup>12</sup>~~13~~).

SECTION 7.<sup>3</sup> BOUNDARIES OF DISTRICTS.

Where uncertainty exists with respect to the boundaries of the various districts, as shown on the zoning map accompanying and made a part of this ordinance, the following rules shall apply:

1. Streets or Alleys: The zone boundaries are either streets or alleys, unless otherwise shown, and where the indicated boundaries on said zoning map are approximately street or alley lines, said streets or alleys shall be construed to be the boundaries of such district.

2. Lot Lines: When the district lines are not shown to be streets or alleys, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines; and where the indicated boundaries on the zoning map are approximately lot lines, said lot lines shall be construed to be the boundaries of such zone, unless said boundaries are otherwise indicated on the map.

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3. No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established.

4. No yard or other open space provided about any building for the purpose of complying with the provisions of these regulations shall be considered as providing a yard or open space for any other building provided further that no yard or open space on an adjoining property shall be considered as providing a yard or open space on a lot whereon a building is to be erected.

5. Every building hereafter erected shall be located on a lot as herein defined and in no case shall there be more than one (1) building or structure on one lot, except as hereinafter provided (Section 12).

SECTION 12. BOUNDARIES OF DISTRICTS.

5. Vacated Street or Alley:

When a street or alley is vacated, the property therein shall be included within the district of the adjoining property to which it reverts and becomes attached by operation of law. When such street or alley does not revert and become attached to adjoining property it shall be included within the more restricted adjoining district.

2. Lot lines: When the district lines are not shown to be streets or alleys, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be considered to be lot lines; and where the indicated boundaries on the zoning map are approximately lot lines, said lot lines shall be considered to be the boundaries of such zone, unless said boundaries are otherwise indicated on the map.



SA

3. Boundaries in the Business "AA", Business "A" and Business "B" Districts: The depth of all Business "AA" and Business "A" lots shall be construed to be not more than 105 feet running at a right angle to the front of said lot, unless shown or indicated on the zoning map to have a greater depth. The depth of Business "B" lots except in the area bounded by Lee Street on the west, Bay Street on the south, Washington Street on the east and Hogan Creek on the north, shall be construed to be not more than 200 feet running at right angle to the front of said lot. In the excepted area the 105 feet provision shall prevail.

4. Street or Right-of-Way - Allocation or Division: A street, alley, railroad or railway right-of-way, water course, channel or body of water, included on the zoning map shall, unless otherwise indicated, be included within the district of the adjoining property on either side thereof; and where such street, alley, right-of-way, water course, channel or body of water serves as a boundary between two or more different districts, a line midway in such street, alley, right-of-way, water course, channel or body of water, and extending in the general direction of the long dimension thereof shall be considered the boundary between districts.

5. Vacated Street or Alley: In the event a dedicated street or alley shown on the zoning map is vacated by ordinance, the property formerly in said street or alley shall be included within the district of the adjoining property on either side of said vacated street or alley. In the event said street or alley was a distinct boundary between two or more different districts, the new district boundary shall be the former center line of said vacated street or alley.

6. In unsubdivided property, the district boundary lines on the map shall be determined by use of the scale contained on such map, and where uncertainty exists, the district boundary shall be determined by the (City) Building (Inspector) <sup>Office</sup> by written decision.

3. Boundaries in the Business "AA", Business "A" and Business "B" Districts: The depth of all Business "AA" and Business "A" lots shall be constructed to be not more than 105 feet running at a right angle to the front of said lot, unless shown or indicated on the zoning map to have a greater depth. The depth of Business "B" lots except in the area bounded by Lee Street on the west, Bay Street on the south, Washington Street on the east and Hogan Creek on the north, shall be constructed to be not more than 200 feet running at right angle to the front of said lot. In the excepted area the 105 feet provision shall prevail.

4. Street or Right-of-Way - Allocation or Division: A street, alley, railroad or railway right-of-way, water course, channel or body of water, included

1. why not follow definition?

3. 48 Sec. 98 raises question as to validity of off-street parking requirement for churches.

why include off-street parking provision here? - See p 36.

5. Vacated Street or Alley: In the event a dedicated street or alley

shown on the zoning map is vacated by ordinance, the property formerly in said street or alley shall be included within the district of the adjoining property on either side of said vacated street or alley. In the event said street or alley was a distinct boundary between two or more different districts, the new district boundary shall be the former center line of said vacated street or alley.

6. In unincorporated property, the district boundary lines on the map shall

6. Do we want all this in R-A?

How about area limitations?

by written decision.

SECTION 5.<sup>4</sup> SINGLE FAMILY (~~DWELLING~~) DISTRICT (RESIDENCE "A").

The following regulations shall apply in the Residence "A" Single Family District:

A. USES PERMITTED.

No building, structure or land shall be used and no building or structure shall hereafter be erected, structurally altered, enlarged or maintained, except for the following uses:

1. Single (~~one~~) family dwellings.
2. Schools, elementary and high. (R-B)
3. Churches, including Sunday School and Recreation Buildings, provided that such structures shall observe the front, side and rear yard requirements set out herein for this District (and further, that any church constructed on a new site shall provide off street parking space upon the lot or within two hundred (200) feet thereof adequate to accomodate one car for every ten persons for which seating is provided in the main auditorium of the church.
4. Community recreation buildings, parks and playgrounds owned and operated by the City of Jacksonville or under <sup>its</sup> their supervision.
5. Government and public utility uses required to service the immediate surroundings or as a part of a comprehensive public service system, including but not limited to, fire and police stations, telephone exchanges, transformer stations, but only on the specific approval of the City Commission.
6. Uses customarily incident to any of the above uses when situated in the same dwelling including home occupations, however no supplies, commodities, materials, equipment incident to the conduct of a home occupation shall be stored in the yards surrounding the dwelling or in accessory buildings and

(R-B ex. pro. officers)

R-A  
§5

further, that there shall be no display from the street nor advertising except a small unlighted professional name plate having an area of not exceeding one (1) square foot.

7. Accessory buildings not over 17 feet high, including one private garage, accessory living quarters or guest house, provided however that no guest house shall be located and maintained on a lot having an area less than twelve thousand (12,000) square feet. Accessory living quarters or guest house may be included in one building.

X (For location of accessory buildings, see Section 13.) X

8. Real estate signs advertising for sale, rental, lease of only the lot or structure on which they are maintained; provided that such signs shall not be over twelve (12) square feet in area and be located on the lot to conform to the front yard provisions of the district.
9. Transitional uses shall be permitted in the Residence "A" District where the side of a lot abuts upon a lot in a commercial or industrial district, provided that such transitional use does not extend more than sixty (60) feet from the boundary of the less restricted district which it adjoins, as follows:

- (a) Dwellings with the same area and yard requirements as in the Residence "B" District.

B. HEIGHT AND AREA REGULATIONS.

In the Single (~~one~~) Family District (Residence "A") the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

HEIGHT: No building or structure shall exceed two and one-half (2½) stories or

*Single family dwellings shall not exceed two and one-half (2½) stories in height.*



12  
K-A  
32

further, that there shall be no display from the street nor advertising

except a small unlighted professional name plate having an area of not

exceeding one (1) square foot.

7. Accessory buildings not over 15 feet high, including one private garage,

necessary living quarters on guest house, provided however that no guest

house shall be located and maintained on a lot having an area less than

twelve thousand (12,000) square feet. Accessory living quarters or guest

house may be included in one building.

(X) For location of accessory buildings, see Section 13.

8. Real estate signs advertising for sale, rental, lease of only the lot or

structure on which they are maintained; provided that such signs shall not

be over twelve (12) square feet in area and be located on the lot to conform

to the front yard provisions of the district.

9. Transitional uses shall be permitted in the Residence "A" District where the

side of a lot fronts upon a lot in a commercial or industrial district, pro-

vided that such transitional use does not extend more than sixty (60) feet

from the boundary of the less restricted district which it adjoins, as

*non-conforming lot?*

follows:

(a) Buildings with the same area and yard requirements

as in the Residence "B" District.

B. HEIGHT AND AREA REGULATIONS.

In the Single (S) Family District (Residence "A") the height of buildings,

the minimum dimensions of yards and the minimum lot area per family shall be as

follows:

HEIGHT: No building or structure shall exceed two and one-half (2 1/2) stories or

*don't we mean beyond setback line?*

*Beyond front yard setback in street.*

R-A  
95

thirty-five (35) feet in height, except as provided in Section 14 hereof.

FRONT YARD (SET BACK): There shall be a front yard of not less than twenty-five (25) feet, measured from the street line to the front wall of the main building, excluding porches, paved terraces and bay windows, unless twenty-five (25) per cent or more of the frontage on one side of the street between two intersecting streets is improved with buildings that have observed a front line having a variation in depth of not more than ten (10) feet, in which case no building shall project beyond the average front yard so established but this regulation shall not be interpreted to require a front yard of more than thirty (30) feet. In determining such front yard depth, buildings located entirely on the rear half of a lot shall not be counted. Where lots have a double frontage, the required front yard shall be provided on both streets.

SIDE YARDS:

(a) There shall be a side yard on each side of a main building of not less than ten (10) per cent of the width of the lot, but such side yard need not exceed twelve (12) feet and shall not be less than five (5) feet in width.

(b) The side yard on each side of a building on a lot of record having a width of less than sixty (60) feet at the time of the passage of this ordinance shall not be less than five (5) feet.

CORNER LOTS AND REVERSE FRONTAGE: Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of such lot shall not be reduced to less than thirty (30) feet. Where the corner lot is reversed in respect to the lot immediately adjoining to the rear, the front yard on the side street need not exceed ten (10) feet. No accessory building shall project beyond the front yard on either street.

2  
A-9  
22

thirty-five (35) feet in height, except as provided in Section 11 hereof.  
FRONT YARD (SEE BACK): There shall be a front yard of not less than ten (10) feet, measured from the street line to the main building line, in lots of less than ten (10) acres, and not less than twenty-five (25) feet, measured from the street line to the main building line, in lots of ten (10) acres or more.

Rear yard - Lin 3 diag "lot of record" to "non-conforming lot"

ing, excluding porches, paved lawns and bay windows, unless twenty-five (25) feet or more of the front yard is improved with buildings that have a front yard of not less than ten (10) feet, in which case no section streets is improved with buildings that have a front yard of not less than ten (10) feet, in which case no

will not delete alley reference - see p 34

building shall project beyond the average front yard so established and this regulation shall not be interpreted to require a front yard of more than thirty (30) feet. In determining such front yard depth, buildings located entirely on the rear half of a lot shall not be counted. Where lots have a double frontage, the required front yard shall be provided on both streets.

SIDE YARD: (a) There shall be a side yard on each side of a lot having a front yard of not less than ten (10) feet, but such side yard need not exceed twenty (20) feet and shall not be less than five (5) feet in width.

diag "lot of record" to "non-conforming lot"

(b) The side yard on each side of a building on a lot of record having a width of less than sixty (60) feet at the time of the passage of this ordinance shall not be less than five (5) feet.

CONCRETE LOTS AND REVERSE FRONTAGE: Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot, except that the minimum width of such lot shall not be reduced to less than thirty (30) feet. Where the corner lot is reversed in respect to the lot immediately adjoining in the rear, the front yard on the side street need not exceed ten (10) feet. No necessary building shall project beyond the front yard on either street.

on either street.

R-A 95  
R-B 96

REAR YARD: There shall be a rear yard of not less than thirty (30) feet or twenty (20) per cent of the average depth of the lot, whichever amount is larger but it need not exceed forty (40) feet. <sup>was computing</sup> Where a lot <sup>of record</sup> was less than one hundred (100) feet in depth at the time of the passage of this ordinance one-half ( $\frac{1}{2}$ ) of the amount that the lot is less than one hundred (100) feet may be deducted from the above required depth, provided however that no part of any such rear yard shall be less than fifteen (15) feet in depth. [In computing the required rear yard depth for any building where such rear yard opens onto an alley, one-half ( $\frac{1}{2}$ ) of said alley may be assumed to be a portion of the rear yard.] see p31

BUILDING SITE AREA (INTENSITY OF USE): In the Single (one) Family District (Residence "A"), the minimum building site area shall be a lot six thousand (6,000) square feet in area for each single family dwelling unit. Such lots shall have a minimum width of sixty (60) feet at the building line. <sup>nc</sup> Where a lot has an area or a minimum width of less than the above required minimum [and was a lot of record in Duval County] at the time of the passage of this ordinance, said lot may be occupied by a single family dwelling, provided the minimum front, side and rear yard provisions as set forth herein are observed. [Ex-ceptions to Area regulations are provided for in Section 14.] <sup>except as 13</sup>

OFF STREET PARKING: Each single family dwelling unit erected shall provide adequate facilities on the lot to park or store at least one automobile. These facilities may be a part of the principal building or be located in an accessory building. (See Section 15).

SECTION 6. LIMITED MULTIPLE FAMILY DISTRICT (RESIDENCE B). <sup>(47 family District)</sup>

The following regulations shall apply in all Residence "B" Districts:

A. USES PERMITTED

No building, structure or land shall be used and no building or structure



3. Is this accessory to a dwelling or is it a regular  
 "Board & Lodging" house?

No building, structure or land shall be used and no building or structure

A. USES PERMITTED

The following regulations shall apply in all Residence "B" Districts:

SECTION 8. LIMITED MULTIPLE FAMILY DISTRICT (RESIDENCE B)

building. (See Section 12).

facilities may be a part of the principal building or be located in an accessory  
 adequate facilities on the lot to park or store at least one automobile. There

OFF-STREET PARKING: Each single family dwelling unit erected shall provide

exceptions to Area regulations are provided for in Section 14.

front, side and rear yard provisions as set forth herein are observed.

said lot may be occupied by a single family dwelling, provided the minimum

a lot of record in Inverly County at the time of the passage of this ordinance,

has an area or a minimum width of less than the above required minimum and was

shall have a minimum width of sixty (60) feet at the building line. Where a lot

(6,000) square feet in area for each single family dwelling unit. Such lots

(Residence "A"), the minimum building side area shall be a lot six thousand

BUILDING SITE AREA (INTENSITY OF USE): In the Single (Two) Family District

said alley may be assumed to be a portion of the rear yard.

depth for any building where such rear yard opens onto an alley, one-half (1/2) of

be less than fifteen (15) feet in depth. In computing the required rear yard

the above required depth, provided however that no part of the rear yard shall

the amount that the lot is less than one hundred (100) feet in depth at the time of the passage of this ordinance one-half (1/2) of

(100) feet in depth at the time of the passage of this ordinance one-half (1/2) of

need not exceed forty (40) feet. Where a lot of record was less than one hundred

(30) per cent of the average depth of the lot, whichever amount is larger but is

REAR YARD: There shall be a rear yard of not less than thirty (30) feet or twenty

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R-B  
§6

shall hereafter be erected, structurally altered, enlarged or maintained, except for the following uses:

1. Any use permitted in the Residence "A" District (Section 5).
2. Two, three and four family dwelling units.
3. Renting of rooms and furnishing table board, provided however there is no display from the street nor sign used to advertise such use. *Boarding + Lodging Houses*
4. Accessory buildings customarily incident to any of the above uses including private garages. (where servant's quarters are erected as second stories of accessory buildings the height of said buildings shall not exceed seventeen (17) feet.)

#### B. HEIGHT AND AREA REGULATIONS.

In the Limited Multiple Family District (Residence "B"), the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

HEIGHT: No building or structure shall be erected hereafter or altered to exceed two and one-half (2½) stories or thirty-five (35) feet, except as provided in Section <sup>13</sup> 14.

*Non-conforming lot*

12  
F-3  
36

shall hereafter be erected, structurally altered, enlarged or maintained, except

for the following uses:

1. Any use permitted in the Residence "B" District (Section 2).
2. Two, three and four family dwelling units.
3. Renting of rooms and furnishing cable board, provided however there is

no display from the street nor sign used to advertise such use.

4. Accessory buildings customarily incidental to any of the above uses including private garages. Where two-story's quarters are erected on second stories of accessory buildings the height of said buildings shall not exceed seven feet

(17) feet.

B. HEIGHT AND AREA REGULATIONS.

In the United Multiple Family District (Residence "B"), the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

HEIGHT: No building or structure shall be erected hereafter or altered to exceed two and one-half (2½) stories or thirty-five (35) feet, except as provided in Section 15.

*non-conforming lot*

*non-conforming lot*

P-B  
96

FRONT YARD. There shall be a front yard having a depth of not less than twenty (20) feet, measured from the street line to the front wall of the <sup>main</sup> (principal) building, excluding <sup>paved</sup> (steps), terraces, <sup>(10)</sup> (porches) and bay windows. Where lots comprising twenty-five (25) per cent or more of the frontage on <sup>one</sup> (the same) side of the street within the block are developed with buildings having front yards with a variation in depth of not more than ten (10) feet, the average depths of such front yards shall establish the front yard depth for the entire frontage of the block. In determining such front yard depth, buildings located <sup>entirely</sup> on the rear half of a lot shall not be counted. No front yard however need be more than twenty-five (25) feet in depth as measured from the street line.

SIDE YARD.

(a) There shall be a side yard on each side of <sup>a main</sup> (the principal) building having a width of not less than eight (8) feet or ten (10) per cent of the average width of the lot, whichever amount is larger but no side yard need exceed twelve (12) feet.

(b) The side yard on each side of a building [located] on a <sup>lot</sup> [which was a lot of record in Duval County at the time of the passage of this ordinance and having a width less than sixty (60) feet] shall not be less than five (5) feet.

REAR YARD. There shall be a rear yard [having a depth] of not less than twenty-five (25) feet or twenty (20) per cent of the average depth of the lot, whichever amount is larger but it need not exceed forty (40) feet. Where a <sup>lot</sup> [was of record in Duval County at the time of the passage of this ordinance and] was less than one hundred (100) feet in depth, <sup>one-half</sup> ( $\frac{1}{2}$ ) of the amount that the lot is less than one hundred (100) feet may be deducted from the above required depth provided however that no part of any such rear yard shall be less than fifteen (15) feet in depth. [In computing the required rear yard depth for any

see  
p31



3-2-9

may not delete alley reference see p 31

FRONT YARD. There shall be a front yard having a depth of not less than ten (10) feet, measured from the street line to the front wall of the (principal) building, excluding steps, terraces, porches and bay windows. Where lots containing twenty-five (25) per cent or more of the frontage on (the same) side of the street within the block are developed with buildings having front yards with a variation in depth of not more than ten (10) feet, the average depth of such front yards shall establish the front yard for the lot. In determining such front yards, buildings located on the rear half of a lot shall not be counted. No front yard however need be more than twenty-five (25) feet in depth as measured to the street line.

General provisions  
p 31  
Answer 78

SIDE YARD.

(a) There shall be a side yard on each side of the (principal) building having a width of not less than eight (8) feet or ten (10) per cent of the average width of the lot, whichever amount is larger but no side yard need exceed twelve (12) feet.

(b) The side yard on each side of a building located in a lot which was a lot of record in Duval County at the time of the passage of this ordinance and having a width less than sixty (60) feet shall not be less than five (5) feet.

REAR YARD. There shall be a rear yard having a depth of not less than twenty-

five (25) feet or twenty (20) per cent of the lot area, whichever amount is larger but it need not exceed forty (40) feet. Where a lot was of record in Duval County at the time of the passage of this ordinance and was less than one hundred (100) feet in depth, one-half (1/2) of the amount that the lot is less than one hundred (100) feet may be deducted from the above required depth provided however that no part of any such rear yard shall be less than

non-conforming lot?

fifteen (15) feet in depth. In computing the required rear yard depth for any

R-B  
96

building where such rear yard opens on to an alley, one-half ( $\frac{1}{2}$ ) of said alley } p31  
may be assumed to be a portion of the rear yard. }

CORNER LOTS AND REVERSED FRONTAGE. On corner lots the side yard regulation shall be the same as for interior lots except in the case of reversed frontage where the corner lot faces an intersecting street. In this case, there shall be a side yard on the street side of the corner lot of not less than fifty (50) per cent of the front yard required on the lots in the rear of such corner lot, and no accessory building on said corner lot shall project beyond the front yard line on the lots in the rear; provided, further, that this regulation shall not be so interpreted as to reduce the buildable width, after providing the required interior side yard, of a corner lot facing an intersecting street and of record at the time of the passage of this ordinance to less than thirty (30) feet, nor to prohibit the erection of an accessory building where this regulation cannot reasonably be complied with.

BUILDING SITE AREA (INTENSITY OF USE). In the Limited Multiple Family District (Residence "B") the minimum building site area shall be a lot of six thousand (6,000) square feet in area for each one or two family dwelling. For each three or four family dwelling, the minimum lot area to be provided shall be twenty-two hundred (2,200) square feet for each single family living in a three or four family dwelling. Such lot<sup>s</sup> shall have a minimum width of sixty (60) feet at the building line. Where a lot<sup>nc</sup> has an area or width<sup>a minimum</sup> of less than the above required minimum [and was a lot of record] at the time of the passage of this ordinance, said lot may be occupied by a single or two family dwelling provided, however, that the minimum yard regulations of Section 5 shall be observed. <sup>front side with provisions</sup> except as

Exceptions to Area Regulations are provided in Section 14. <sup>13</sup>

OFF STREET PARKING: Off Street Parking Requirements, see Section 15.

17  
6-13  
26

building where such rear yard opens on to an alley, one-half (1/2) of said alley may be assumed to be a portion of the rear yard.

CORNER LOTS AND REVERSED FRONTAGE. On corner lots the side yard regulation shall be the same as for interior lots except in the case of reversed frontage where the corner lot faces an intersecting street. In this case, there shall be a side yard on the street side of the corner lot of not less than fifty (50) per cent of the front yard required on the lot in the rear of such corner lot, and no necessary building shall be erected beyond the front yard line on the lot.

3. Don't this included in 2. ? *used "hotel" is confusing.*

5. Does Physician include chiropractors etc?

erecton of an necessary building where this regulation cannot reasonably be complied with.

BUILDING SITE AREA (EXCEPT CITY-OWNED). In the United Multiple Family District (Residence "B") the minimum building site area shall be as follows:

8 - How many piccos etc  
8+9 - Pure business and no residence?

11. change "service" to "activity"

Building line. Where a lot has an area or width of less than the above required minimum and was a lot of record at the time of the passage of this ordinance, said lot may be occupied by a single or two family dwelling provided, however, that the minimum yard regulations of Section 2 shall be observed.

OFF STREET PARKING: Off Street Parking Requirements, see Section 12.

R-C  
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<sup>6</sup>  
SECTION 7. MULTIPLE FAMILY DISTRICT (RESIDENCE "C").

The following regulations shall apply in <sup>all</sup> Residence "C" Districts:

A. USES PERMITTED

No building, structure or land shall be used and no building or structure shall hereafter be erected, structurally altered, enlarged or maintained, except for the following uses:

1. Any use permitted in the Residence "B" District (Section <sup>5</sup> 6).
2. Multiple family dwellings (apartments).
- (3. Apartment hotels.) X
- 3-4. Non-profit museums, art galleries, libraries, community buildings.
- ✓ 5. Physicians and dental clinics.
- 5 6. Hospitals and sanitariums, except animal hospitals or hospitals and sanitariums for contagious, mental, drug or liquor addict cases, with yards as required in this Section.
- ✓ 7. Convalescent or nursing homes for aged and infirm.
8. Dancing studios.
- X 9. Music studios (with not more than two (2) pianos).
- ✓ 10. Guest home (tourist homes).
- 8 11. Private clubs, fraternities, sororities except those the chief activity of which is (a <sup>?</sup> service) customarily carried on as a business. (R-B)
- ✓ 12. Accessory buildings and uses customarily incident to the above uses.

B. HEIGHT AND AREA REGULATIONS

In the Multiple Family District (Residence "C") the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:



HEIGHT. No building or structure shall be erected hereafter or altered to exceed four (4) stories of sixty (60) feet, except as provided in Section 14. R-C  
97  
13

FRONT YARD. There shall be a front yard having a depth of not less than fifteen (15) feet, measured from the street line to the front wall of the <sup>main</sup> principal building, excluding steps, porches and bay windows. Where lots comprising twenty-five (25) per cent or more of the frontage on the same side of the street within the block are developed with buildings having front yards with a variation in depth of not more than ten (10) feet, the average depths of such front yards shall establish the front yard depth for the entire frontage of the block. In determining such front yard depth, buildings located on the rear half of a lot shall not be counted. In no case however, need any front yard be more than twenty (20) feet in depth, measured from the street line.

SIDE YARD. For a building not more than two and one-half (2½) stories in height, there shall be a side yard on each side of the <sup>main</sup> principal building of not less than ten (10) per cent of the width of the lot but such side yard need not exceed eight (8) feet.

For buildings more than two and one-half (2½) stories in height, one (1) foot shall be added to the minimum width of such side yard for each additional story above the second story.

REAR YARD. There shall be a rear yard of not less than twenty-five (25) per cent of the depth of the lot, but such rear yard need not exceed twenty-five (25) feet. For a building more than three (3) stories in height one (1) foot shall be added to the depth of such rear yard for each story above the third floor, but such rear yard need not exceed twenty (20) feet.

BUILDING SITE AREA (INTENSITY OF USE). In the Multiple Family District (Residence "C") the minimum width of lot shall be sixty (60) feet and the

9-6  
12  
12

HEIGHT. No building or structure shall be erected hereafter or altered to exceed four (4) stories of sixty (60) feet, except as provided in Section 11.1. There shall be a front yard having a depth of not less than fifteen (15) feet, measured from the street line to the front wall of the principal building, excluding steps, porches and bay windows. Where lots containing twenty-five (25) per cent or more of the frontage on the same side of the street within the block are developed with buildings having front yards with a variation in depth of not more than ten (10) feet, the average depth of such front yards shall establish the front yard depth for the entire frontage of the block. In determining such front yard depth, buildings having front yards of a lot shall not be counted. In no case however, need any front yard be more than conforming lot

Sec. 8. Neighborhood Retail Districts are provided primarily as shopping and service areas for the consumers of the neighborhood tributary to them, and the following regulations shall apply in all such Business A districts:

1. Should single family residences be built here?
  2. Caterers?
  4. Masseurs? Swedish Palls?
- For buildings more than two and one-half (2½) stories in height, one (1) foot shall be added to the minimum width of such side yard for each additional story above the second story.
- BUILDING SITE AREA (PERCENTAGE OF LOT). In the Multiple Family Districts (Residence "C") the minimum width of lot shall be sixty (60) feet and the

R-C 97  
B-AH 98

minimum area shall be six thousand (6,000) square feet for a single or two family dwelling. For buildings having more than four dwelling units the minimum lot area per family dwelling unit shall be as follows:

- (a) Four hundred (400) square feet of lot area for each dwelling unit having more than three (3) rooms.
- (b) Three hundred and fifty (350) square feet of lot area for each dwelling unit having three (3) rooms.
- (c) Three hundred (300) square feet of lot area for each dwelling unit of less than three (3) rooms.

Provided however, that where a lot has a width less than sixty (60) feet or an area of less than six thousand (6,000) square feet ~~and was a lot of record~~ at the time of the passage of this ordinance, such lot may be occupied by a one or two family dwelling.

OFF STREET PARKING. For Off Street Parking Requirements, see Section 15.  
SECTION 2.1 NEIGHBORHOOD RETAIL ~~COMMERCIAL~~ DISTRICT (BUSINESS "AA").

The following regulations shall apply in all Business "AA" Districts.

A. USES PERMITTED

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

1. Any use permitted in the Residence "C" District.
2. Bakers, whose products are sold only at retail and only on the premises.
3. Banks.
4. Barber shops, beauty parlors.
5. Book, stationery and office supply stores and news stands.
6. Bowling alleys.
7. Clothing or wearing apparel shops and tailors.

20  
B-6-21  
B-6-22

8. *info for sale on premises?*

minimum area shall be six thousand (6,000) square feet for a single dwelling unit. For buildings having more than four dwelling units the minimum lot area per family dwelling unit shall be as follows:

(a) Four hundred (400) square feet of lot area for each

dwelling unit having more than three (3) rooms.

(b) Five hundred (500) square feet of lot area

14. *Batteries charging, tire repairs? auto accessories.*

15. *Wholesale?*

17. *What is Super market?*

Provided however, that where a lot has a width less than sixty (60) feet or an area of less than six thousand (6,000) square feet and was a lot of record at the time of the passage of this ordinance, such lot may be occupied by a one or two family dwelling.

OFF STREET PARKING. For Off Street Parking Requirements, see Section 13.  
SECTION 2. NEIGHBORHOOD RETAIL DISTRICT (BUSINESS "AA").

The following regulations shall apply in all Business "AA" Districts.

A. USES PERMITTED

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained,

except for the following uses:

1. Any use permitted in the Residence "C" District.
2. Banks, whose products are sold only at retail and only on the premises.
3. Banks.
4. Barber shops, beauty parlors.
5. Book, stationery and office supply stores and news stands.
6. Bowling alleys.
7. Clothing or wearing apparel shops and salons.



B-AA §8

(For info. see B-A#9)

8. Confectionery and ice cream establishments.
9. Custom dressmaking and millinery shops.
10. Drug stores or apothecaries shops and sundry stores.
11. Dry cleaning and laundry pick-up stations.
12. Dry goods and notions stores.
13. Electrical appliance stores and repair departments. {Furniture in B-A#13 included in appliances}
14. Filling stations but no mechanical repair garages. Tire Store B-A#23
15. Florists.
16. Gift shops, art goods, novelties, antiques, jewelry, luggage shops. Second hand B-A#21
17. Grocery, fruit, vegetable stores and meat and fish markets, including delicatassens and super markets.
18. Hardware stores, paints and wallpaper.
19. Furniture stores, interior decorators, costumers. (Furniture + Furniture Stores in B-A#13)
20. Laundrettes (self-service laundries).
21. Music, record and radio stores.
22. Offices (business and professional).
23. Opticians, optometry stores.
24. Pet shops.
25. Parking lots, public and private.
26. Restaurants and tea rooms, exclusive of dancing and entertainment.
27. Shoe stores and repair shops.
28. Sporting goods, bicycles, fishing supplies stores. {Repairs?}
29. Studios, photographers, artists.
30. Other uses similar to the above, as provided for in Section 13 hereof.

The above specified stores and shops or businesses shall be primarily retail establishments selling new merchandise exclusively and shall be

B-AA 98

permitted only under the following conditions:

- (a) Such stores, shops or businesses shall be conducted wholly within an enclosed building.

### B. HEIGHT AND AREA REGULATIONS

In the Neighborhood Retail Commercial District (Business "AA"), the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

HEIGHT. No building or structure ~~nor the enlargement of any building or structure shall be erected hereafter or maintained to~~ exceed two and one-half (2½) stories or thirty-five (35) feet in height, except as otherwise provided in Section 14. <sup>13</sup> *Revised*

FRONT YARD. Where all the frontage is located in the Business "AA" District, no front yard shall be required.

SIDE YARD. Where the side of a lot in the Business "AA" District abuts upon the side of a lot in a residence district, there shall be a side yard of not less than ten (10) per cent of the width of the lot but such side yard need not exceed five (5) feet and shall not be less than three (3) feet. *on property*

Where a reversed corner lot rears upon the side of a lot in a residence district, the side yard on the street side of the reversed corner lot shall be not less than ten (10) per cent of the width of the lot, but such side yard need not exceed five (5) feet and shall not be less than three (3) feet in width.

In all other cases, a side yard for a commercial building shall not be required, but if provided, it shall not be less than three (3) feet in width.

Side yards conforming to the requirements of the Residence <sup>"C"</sup> District (Section 5) shall be provided and maintained in connection with buildings erected and used principally for residential purposes.

permitted only under the following conditions:

(a) Such stores, shops or businesses shall be

conducted wholly within an enclosed building.

B. HEIGHT AND AREA REGULATIONS

In the Neighborhood Retail Commercial District (Business "A"), the height

of buildings, the minimum dimensions of yards and the minimum lot area per family

shall be as follows:

HEIGHT. No building or structure shall be constructed or maintained to exceed two and one-half (2½) stories

or thirty-five (35) feet in height, except as otherwise provided in Section 1A.

FRONT YARD. Where all the frontage is located in the Business "A" District,

no front yard shall be required.

SIDE YARD. Where the side of a lot in the Business "A" District abuts upon the

side of a lot in a Residence District, there shall be a side yard of not less than

OK 1. Shall single family dwelling be allowed?  
or Duplex?

(2) feet and shall not be less than three (3) feet.

Where a reversed corner lot is located in a Residence District, the side yard on the street side of the reversed corner lot shall be

3. Distinguish Hillier Station in BAA#14

not less than ten (10) feet and shall not be less than three (3) feet.

4. Does this mean sale of new autos allowed in BAA?

In all other cases, a side yard for a commercial building shall not be re-

5. Is this allowable?

Side yards conforming to the requirements of the Residence "A" District

(Section 2) shall be provided and maintained in connection with buildings

erected and used principally for residential purposes.

B-AA 88  
B-A 89

REAR YARD. There shall be a rear yard of not less than twenty-five (25) per cent of the depth of the lot, but such rear yard need not exceed twenty-five (25) feet.

BUILDING SITE AREA (INTENSITY OF USE).

The lot area requirements for the Residence "C" District shall apply to buildings erected and used exclusively for dwelling purposes. (~~For buildings other than those erected and used exclusively for dwelling purposes such requirements shall apply to only that portion of a building used for dwelling purposes.~~)

(Exceptions to Area Regulations are provided in Section 14.)

OFF STREET PARKING. For Off Street Parking Requirements, see Section 15.

OFF STREET LOADING. For Off Street Loading Requirements, see Section 16.

SECTION 8. <sup>9. Retail</sup> COMMERCIAL DISTRICT (BUSINESS "A").

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

1. Any use permitted in the Business "AA" District.
2. Advertising signs or structures and billboards.
3. Automobile service station (super stations) including repairs but not body rebuilding.
4. Automobile sales room with service departments included in same structure, second hand car lots.
5. Barber and beauty shop supplies.
6. Bottling plants.
7. Business colleges or private schools operated as commercial enterprise or trade school.
8. Blue printing, photostating and photographic processing establishments.



B-AA 28  
B-AA 29

9. *for individual?*

11. *How about B-AA?*

13. *See B-AA-19 13 electrical appliances furniture store*

16. *to the individual?*

19. *See B-AA 22 office (new 1 pm)*

22. *Limit to invest structure*

24. *Pets only?*

B A 89

9. <sup>B-AA #8</sup> (Candy or confectionery stores) and manufacture within structure, with five or less employees.
10. Carpet or rug cleaning
11. Department stores and shops for retail trade generally. *cannot be applied with any certainty to particular business - too indefinite for use as tax classification 119 P.2d 370*
12. Funeral homes and chapels, [provided off street parking space shall be provided on the lot, one car for every ten persons of seating capacity.] *Parking space covered in § 15*
13. <sup>B-AA #18</sup> (Furniture and fixtures stores; furniture repairing, rebuilding and upholstering.
14. Garden and seed store but no wholesaling. *{ How about sale of seed + fertilizer at grocery + drug stores in B-AA? }*
15. Hotels.
16. Medical, surgical and hospital supplies.
17. Motor (tourist) courts, motels.
18. Magazine and news distribution.
19. Office buildings. *BAA #22*
20. Public garage for storage only, public parking lots.
21. Second hand stores. *- antique in BAA #16.*
22. Small loan offices. *- Salary buyers? Finance Co?*
23. Tire store, sales and service including vulcanizing and involving no manufacture.
24. Veterinary and small animal hospitals.
25. Yacht and boat sales.

## B. HEIGHT AND AREA REGULATIONS.

In the Commercial District (Business "A") the height of buildings, the minimum dimensions of yards and the minimum lot area per family shall be as follows:

PR A-5

8-AA#8

cannot be applied with any certainty to particular business - for instance, for use on the sleeping porch.

parking space  
[circled] 12

When about half of the buildings are of heavy + business type.

- 9. Candy or confectionery stores and manufacture within structures with five or less employees.
- 10. Carpet or rug cleaning.
- 11. Department stores and shops for retail trade generally.
- 12. Funeral homes and chapels, provided off street parking space shall be provided on the lot, one car for every ten persons of seating capacity.
- 13. Furniture and fixtures stores; furniture repairing, remodeling and upholstering.
- 14. Garden and seed store but no wholesaling.
- 15. Hotels.
- 16. Medical, surgical and hospital supplies.
- 17. Motor (tourist) courts, motels.
- 18. Magazine and news distribution.
- 19. Office buildings.
- 20. Public garage for storage only; public parking lots.
- 21. Second hand stores.
- 22. Small loan offices.
- 23. Tire store, sales and service including vulcanizing and involving no manufacture.
- 24. Veterinary and small animal hospitals.
- 25. Yacht and boat sales.

1. May allow any dwelling - other than hotel, tourist court, rooms etc. for transients?

In the Commercial District (Business "A") the minimum dimensions of yards and the minimum lot area per family shall be as follows:

HEIGHT. No building or structure nor the enlargement of any building or structure shall be hereafter erected or maintained to exceed four (4) stories or sixty (60) feet in height.

as  
 Exceptions to Height Regulations are provided for in Section 14. 13

FRONT, SIDE AND REAR YARDS.

The front, side and rear yard regulations for dwellings are the same as those in the Residence "C" Multiple Family District.

Rear yard for Business Structures. There shall be a rear yard having a depth of not less than twenty-five (25) feet.

BUILDING SITE AREA (INTENSITY OF USE).

The lot area requirements of the Residence "C" District (Section 7) shall apply to buildings erected and used exclusively for dwelling purposes. For buildings other than those erected and used exclusively for dwelling purposes such requirements shall apply only to that portion of a building used for dwelling purposes.

Area exceptions provided in Section 14.

OFF STREET PARKING. For Off street Parking Requirements, see Section 15.

OFF STREET LOADING. For Off Street Loading Requirements, see Section 16.

SECTION 10<sup>a</sup>. COMMERCIAL DISTRICT (BUSINESS "B").

General Business, District 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

No building, structure or land shall be used and no building or structure shall hereafter be erected, structurally altered, enlarged or maintained, except for the following uses:

1. Any use permitted in Business "A" District (Section 9).
2. Amusement enterprises including billiard and pool hall, boxing or sports arena, dance hall, shooting gallery and the like, skating rink, if conducted wholly within a completely enclosed building.



B-A 89  
B-B 89

HEIGHT. No building or structure nor the enlargement of any building or structure shall be hereafter erected or maintained to exceed four (4) stories or sixty (60) feet in height.

5. How about battery recharge in B-AA filing station?

FRONT, SIDE AND REAR YARDS.

The front, side and rear yard regulations for dwellings are the same as those in the Residence "C" Multiple Family District.  
Rear yard for Business Districts. There shall be a rear yard having a depth of not less than twenty-five (25) feet.

BUILDING SITE AREA (INTENSITY OF USE).

The lot area requirements of the Residence "C" District (Section 7) shall apply to buildings erected and used exclusively for dwelling purposes. For buildings other than those erected and used exclusively for dwelling purposes such requirements shall apply only to that portion of a building used for dwelling purposes.

Area exceptions provided in Section 14.

OFF STREET PARKING. For Off street parking requirements, see Section 15.

OFF STREET LOADING. For Off street loading requirements, see Section 16.

SECTION 17. COMMERCIAL DISTRICT (BUSINESS "B").

No building, structure or land shall be used and no building or structure shall hereafter be erected, structurally altered, enlarged or maintained, except for the following uses:

1. Any use permitted in Business "A" District (Section 7).

2. Amusement enterprises including billiard and pool hall, boxing or sports arena, dance hall, shooting gallery and the like, except that, if

conducted wholly within a completely enclosed building.

B-B 9/10

3. Automobile (mechanical) shops for body rebuilding, painting and major mechanical repairs.
4. Awning, tent and canvas products, assembly and repair.
5. Battery manufacture [and recharging.]
- 7 1/2. <sup>B. Holding Point</sup> Candy manufacture and distribution employing more than five (5) workers.
8. Cold storage plant, deep freeze lockers, ice manufacture and storage.
9. Garment manufacture.
10. Hauling, trucking and storage warehouses.
10. Laundries, dry cleaners and dyers.
12. Linen supply, (laundering) and distribution.
12. Machinery sales and storage including agricultural implements, tractors, air conditioning, trucks, trailers, electrical equipment, pumps, railroad supplies.
13. Marine storage, repair and small boat building and ship chandlery.
14. Mattress manufacture and renovating.
15. Metal working shop, tinsmith, plumbing and heating shop, plumber sales rooms.
16. Monument sales and manufacture.
17. Paper storage and wholesale distribution.
18. Parcel delivery service.
19. Pawnshops, { <sup>Second hand stores B-A</sup> <sub>Small loans - B-A</sub> }
20. Printing, publishing, engraving, lithography and newspaper establishments.
21. Tire rebuilding and processing including recapping.
22. Wholesale sale, storage and distribution of food, drugs, fodder, fertilizers, fuel, building materials, (lumber, brick, cement, roofing materials, sand, etc.) and supplies, contractor's equipment, pipe, plumbing materials and

B-B  
§10

supplies, cotton and woolen goods, furniture, hardware, iron and steel, paint and paint materials.

- 22  
23. Any other business or light industry of similar type but no business or industry which may be obnoxious by reason of the emission of dust, fumes, gases, odors, noise, vapors or vibration, will be permitted.

#### B. AREA REGULATIONS.

In the Commercial District (Business "B") the minimum dimensions of yards, and the minimum lot area per family shall be as follows:

##### FRONT, SIDE AND REAR YARDS.

The front, side and rear yard regulations for dwellings are the same as those in the Residence "C" Multiple Family District.

##### BUILDING SITE AREA (INTENSITY OF USE).

The lot area requirements of the Residence "C" District (Section <sup>6</sup> 7) shall apply to buildings erected and used exclusively for dwelling purposes. For buildings other than those erected and used exclusively for dwelling purposes such requirements shall apply only to that portion of a building used for dwelling purposes.

Area exceptions provided in Section 14. <sup>13</sup>

OFF STREET PARKING. For Off Street Parking Requirements, See Section 15.

OFF STREET LOADING. For Off Street Loading Requirements, see Section 16.

27  
B-8  
2/10

supplies, cotton and woolen goods, furniture, hardware, iron and steel,

paint and paint materials.  
13. Any other business or light industry of similar character which may be conducted by reason of the emission of dust, fumes, gases, odors, noise, vapors or vibration, will be permitted.

why not prohibit all residential uses?

5. AREA REGULATIONS.

In the Commercial District (Business "B") the minimum dimensions of yards and the minimum lot area per family shall be as follows:

FRONT, SIDE AND REAR YARDS.

The front, side and rear yard regulations for dwellings are the same as those in the Residence "C" Multiple Family District.

BUILDING SITE AREA (INTENSITY OF USE).

The lot area requirements of the Residence "C" District (Section V) shall apply to buildings erected and used exclusively for dwelling purposes. For buildings other than those erected and used exclusively for dwelling purposes each requirement shall apply only to that portion of a building used for dwelling purposes.

Area exceptions provided in Section II.

OFF STREET PARKING. For Off Street Parking requirements, see Section 15.  
OFF STREET LOADING. For Off Street Loading requirements, see Section 15.



I-A 9/11

<sup>10</sup>  
SECTION 11. INDUSTRIAL "A" DISTRICT.

The following regulations shall apply in all Industrial "A" Districts.

A. USES PERMITTED

In the Industrial "A" District all buildings and land may be used for any use permitted in the <sup>Business</sup> ~~Commercial~~ Districts, "A" and "B", or for any use except the following:

1. Abattoir.
2. Ammonia, chlorine or bleaching power manufacture.
3. Asphalt manufacturing or refining.
4. Celluloid manufacture.
5. Coal tar products manufacture.
6. Linoleum or oil cloth manufacture.
7. Petroleum storage or refining, wholesale sale or storage of petroleum products except kerosene and fuel oil, provided said kerosene and fuel oil are stored in quantities not to exceed 30,000 gallons in tanks of not more than 10,000 gallons each, located not less than 25 feet from any building or lot line.
8. Plaster manufacture, pyroxyline manufacture.
9. No residential dwellings shall be permitted in the Industrial "A" District except those required on the plant premises for watchmen, police or other operations.

*See Board of Health & Police Department for further regulations*  
*See Board of Health & Police Department for further regulations*  
*See Board of Health & Police Department for further regulations*

I-A-11

SECTION 1. INDUSTRIAL "A" DISTRICT.

The following regulations shall apply in the Industrial "A" District.

A. USES PERMITTED

In the Industrial "A" District all buildings and land may be used for any use permitted in the Commercial Districts, "A" and "B", or for any use except

the following:

1. Abattoirs.
2. Ammonia, chlorine or bleaching power manufacture.
3. Asphalt manufacturing or refining.
4. Celluloid manufacture.
5. Coal tar products manufacture.
6. Locomotives or oil cloth manufacture.
7. Petroleum storage or refining, wholesale sale or storage of petroleum products except kerosene and fuel oil, provided said kerosene and fuel oil are stored in quantities not to exceed 30,000 gallons in tanks of not more than 10,000 gallons each, located not less than 25 feet from any building or lot line.
8. Plaster manufacture, pyroxyline manufacture.

I-B why not prohibit all residential uses?

what standards to govern permit? See Dravel v. Miami Beach  
why by City Council? 64802d317

I-A §11  
I-B §12

9. Radium extraction.
10. Rubber or gutta percha manufacture or treatment.
11. Sulphurous, sulphuric, nitric or hydrochloric acid manufacture.
12. Paint, oil, varnish, shellac, turpentine, lacquer manufacture.
13. Potash works.
14. Soap manufacture.
15. Sodium compounds manufacture.
16. Those uses which may be obnoxious or offensive by reason of the emission of odor, dust, smoke, gas, noise, vibration and the like.
17. All uses excluded from Industrial "B" District (Section 12).

#### B. HEIGHT.

Heights of structures in this District shall be governed by the provisions of the Building Code.

#### C. FRONT AND SIDE YARDS.

None shall be required except as they relate to residential dwellings and in that case the provisions of Residence "C" District shall prevail.

#### SECTION 12. INDUSTRIAL "B" DISTRICT.

The following regulations shall apply in all Industrial "B" Districts:

#### A. USES PERMITTED.

In any Industrial "B" District any building or structure or any land may be used for any purpose not in conflict with any ordinance of the City of Jacksonville regulating nuisances; provided however that no <sup>occupancy</sup> (building) permit shall be issued for any of the following uses until and unless the location of such use shall have been approved by the City Council after report by the Chief of the Fire Department, the City Health Officer and the <sup>Supervisor</sup> (City) Building (Inspector).

1. Acid manufacture.

I-B 912  
Gas 913

2. Cement, lime, gypsum or plaster of paris manufacture.
3. Distillation of bones.
4. Explosives, manufacture or storage.
5. Fat rendering.
6. Fertilizer manufacture.
7. Garbage, offal or dead animal reduction or dumping.
8. Glue manufacture.
9. Paper and pulp manufacture.
10. Petroleum, or its products, refining of.
11. Wholesale storage of gas.
12. Stock yards or slaughter of animals.
13. Tannery.
14. Storage or bailing of rags, paper, iron or junk.
15. Used car junk yards.
16. Fish smoking, curing or canning.
17. And in general those uses which may be obnoxious or offensive by reason of emission of odor, dust, smoke, gas, noise, vibration and the like.

No building shall be converted or erected for dwelling purposes in this District, provided however, that dwelling quarters may be established in connection with any industrial establishment for watchmen and caretakers employed upon the premises.

#### B. HEIGHT ~~PROVISIONS~~ PROVISIONS.

Same as for Industrial "A" District.

#### SECTION 13. <sup>2</sup> GENERAL PROVISIONS.

1. FENCES AND WALLS. Fences and walls (~~or walls~~) in residential dwelling districts (Residence "A", "B" and "C") shall not be more than six (6) feet high



I-8-12  
11/2

Why require fence within 3 feet of side lot line?  
What about back fence - + fence separation  
front from back, enclosing yards, etc?

2. Yard or court - apparently synonymous here -  
not defined conclusively.

3. This covered by NBE 502

4. Why not "recognized" alley? See R-A, R-B

Jan 8/3

and shall be erected not less than three (3) feet from the side lot line. This does not apply to retaining walls within a prescribed yard or court. *however this*

2. COURTS REQUIRED. A yard or court on the same lot and conforming with the requirements of this ordinance shall be provided wherever needed to give adequate light and ventilation to any room in which persons live, sleep, work or congregate.

3. MINIMUM WINDOW OPENING. The minimum window opening in any room shall be one (1) square foot to each ten (10) square feet of floor area.

4. SPACE ALLOWANCE FOR ALLEYS. In computing the depth of a rear yard, for any building where such yard opens onto a <sup>recognized</sup> (recorded) alley, one-half ( $\frac{1}{2}$ ) of such alley may be assumed to be a portion of the rear yard.

5. TRAFFIC VISIBILITY AT CORNERS. In any Residence "A", "B" or "C" Districts, no fence, sign, trees or shrubs or other obstruction to vision shall be maintained within twenty-five (25) feet of any corner street curb line intersection so as to prevent a clear line of vision across the corner. This does not apply to fences or shrubs on private property that are not more than four feet above the curb level.

6. UNSAFE BUILDINGS. Nothing in this ordinance shall prevent the strengthening, shoring or repairing of any building or wall which has been declared unsafe by the Supervisor of Buildings.

7. DWELLINGS ERECTED ABOVE STORES. The front and side yard requirements shall be waived where dwellings occupy space above stores.

8. ACCESSORY BUILDING BULK. *P 31-11-11 - Curb lot + Accessory Building*  
An accessory building may occupy not more than thirty (30) per cent of a required rear yard, provided, however, in the case of reversed frontage no accessory building shall be erected closer than three (3) feet to the line of the abutting lot to the rear.

*Location  
Height*

Jan 2/3

9. *Fences, trellis, etc?*  
*Trees, shrubbery*

2. CONCRETE REINFORCED. A yard or court on the same lot and conforming with the requirements of this ordinance shall be provided wherever needed to give adequate light and ventilation to any room in which persons live, sleep, work or congregate.

3. MINIMUM WINDOW OPENING. The minimum window opening in any room shall be one (1) square foot for each ten (10) square feet of floor area.

4. SPACE ALLOWANCE FOR ALLEYS. In computing the depth of a rear yard, for any building where each yard opens onto a (recorded) alley, one-half (1/2) of such alley may be assumed to be a portion of the rear yard.

5. TRAFFIC VISIBILITY AT CORNERS. In any residence "A", "B" or "C" lots, fences, no fences, signs, trees or shrubs or other obstruction to vision shall be maintained within twenty-five (25) feet of any corner street curb line intersection so as to prevent a clear line of vision across the corner. This does not apply to fences or shrubs on private property that are not more than four feet above the curb level.

6. UNSAFE BUILDINGS. Nothing in this ordinance shall prevent the strength-

13. *What does "limited" mean?*

7. BUILDINGS PROJECTING ABOVE STORIES. The front and side yard requirements shall be waived where dwellings occupy space above stories.

8. ACCESSORY BUILDINGS. In necessary buildings may occupy not more than thirty (30) per cent of a required rear yard, provided, however, that the rearward frontage no accessory building shall be erected closer than three (3) feet to the line of the building lot to the rear.

14. *Catch line - Principle Building*

*waiter*  
*H. H. H.*

9/13

10 9. CLEAR YARD SPACES. Every part of a required yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of sills, belt courses, cornices, buttresses, ornamental features and eaves.

11 10. STORAGE OF MATERIALS. No materials of construction, tools, equipment, trucks or supplies incident to the conduct of any business or industry shall be stored on any yard or lot, or in any accessory building in any residence district.

12 11. MECHANICAL OPERATIONS. No mechanical work involving the use of tools and power equipment for compensation shall be conducted on any yard or lot or in any accessory building located in any residence district. Included in such operations are radio repair, automobile repair, furniture upholstering and manufacture, plumbing or any other activity of a commercial and industrial nature.

13 12. PROHIBITED USES. Nothing shall be allowable on a lot or within a building or structure in any residence district that shall in any way be offensive or noxious by reason of the emission of odors, gases, dust, smoke, vibration or noise. Nor shall anything be constructed or maintained that would in any way constitute an eyesore or nuisance to adjacent property owners, residents or to the community.

13. LIMITED WHOLESALE. Any retail business permitted in the Business "AA" or Business "A" Districts will be permitted to have limited storage facilities within the main structure or accessory building thereto and from such storage to supply a limited amount of wholesale trade however the latter must not be the principal business of the establishment.

14. Where a building or structure is erected on the rear half of a lot and includes a garage and a dwelling unit said structure shall be considered as the <sup>main</sup> principal building on the lot. If however a second dwelling unit is



32  
5/13/43

12. CLEAR YARD SPACES. Every part of a regulated yard or court shall be open from its lowest point to the sky unobstructed, except for the ordinary projection of eaves, belt courses, cornices, buttresses, ornamental features and eaves.

13. STORAGE OF MATERIALS. No materials or equipment, tools, equipment, fixtures or supplies incident to the conduct of any business or industry shall be stored on any yard or lot, or in any accessory building in any yard or lot.

14. MECHANICAL OPERATIONS. No mechanical work involving the use of tools and power equipment for construction shall be conducted on any yard or lot or in any accessory building located in any residence district. Included in such operations are radio repair, automobile repair, furniture repairing and manufacturing, plumbing or any other activity of a commercial and industrial nature.

15. PROHIBITED USES. Nothing shall be allowable on a lot or within a building or structure in any residence district that shall in any way be offensive or noxious by reason of the emission of odor, gas, dust, smoke, vibration or noise. Nor shall anything be constructed or maintained that would in any way constitute an eyesore or nuisance to adjacent property owners, residents or to the community.

16. LIMITED WHOLESALE. Any retail business permitted in the business "A" or business "B" districts will be permitted to have limited storage facilities within the main structure or accessory building thereof and from such storage to supply a limited amount of wholesale trade however the latter may not be the principal business of the establishment.

17. Where a building or structure is erected on the rear half of a lot and includes a garage and a dwelling unit said structure shall be considered as the principal building on the lot. If however a second dwelling unit is

JUL 8/13

erected on the front half of the lot it will become the <sup>main</sup> principal building and <sup>the one</sup> that previously erected on the rear half will become an accessory building with private garage and as such shall not be used as a separate and distinct dwelling unit for rent or lease unless the lot on which it and the <sup>main</sup> principal building are erected has an area of at least twelve thousand (12,000) square feet and the various minimum yard provisions are observed as they relate to each building.

15. No required yard or <sup>court</sup> other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this ordinance, shall be considered as providing a yard or <sup>court</sup> open space for any other building; nor shall any yard or other required <sup>court</sup> open space on an adjoining lot be considered as providing a yard or <sup>court</sup> open space on a lot wherein a building is to be erected or established.

16. YARDS - COURTS - DISTANCE BETWEEN DWELLINGS. Where a multiple dwellings of more than one dwelling unit are located and maintained on a lot, the following yards, <sup>+</sup> courts and open spaces shall be provided and maintained with such dwellings:

- (a) For court apartments or group dwellings the side yards shall be the same width as required in the district in which they are located. Where such court apartments or group dwellings are arranged around three (3) sides or two (2) opposite sides of a court, the average width of the court shall be not less than twenty (20) feet. Where such court apartments or group dwellings are arranged around only one (1) side and the rear of a court, the combined average width of the court and adjoining side yard shall not be less than ten (10) feet.

8 ~~17~~ LOCATION OF ACCESSORY BUILDINGS. No accessory building shall be erected or maintained and no existing accessory building shall be structurally

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altered, converted, enlarged, moved or maintained unless (such accessory building) is located on the lot in conformance with the following regulations:

(a) In the Residence "A" District, an accessory building shall be located not less than 65 feet from the front lot line nor less than three (3) feet from any other lot line.

(1) On a reversed corner lot, an accessory building shall not be located nearer to the side lot line on the street side of such corner lot than the front yard depth required on the lot to the rear nor be located nearer than three (3) feet to any other lot line.

(b) In the Residence "B" and "C" Districts, accessory buildings shall not be located nearer than 50 feet and 40 feet respectively from the front lot line and in neither case nearer than three (3) feet to any other lot lines.

SECTION 14. EXCEPTIONS - USE - HEIGHT AND AREA.

1. Public Utilities and Public Services. The provisions of this ordinance shall not be so construed as to limit or interfere with the construction, installation, operation and maintenance for public utility purposes of water and gas pipes, mains and conduits, electric light and power transmission and distribution lines, telephone and telegraph lines, sewers and incidental appurtenances.

2. In districts limiting the height to 2½ stories or thirty-five (35) feet, one to four family dwellings may be increased to three (3) stories or forty-five (45) feet provided the required side yards are increased to twelve (12) feet or more inwidth.

3. Penthouses, or roof structures for the housing of elevators, stairways, tanks, ventilating fans, air conditioning equipment or similar equipment required

21/3/23  
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altered, converted, moved or maintained unless (such necessary building is located on the lot in conformance with the following regulations: (a) In the Residence "A" District, an accessory building shall be located not less than 5 feet from the front lot line nor less than three (3)

40. Board of Adjustment?  
What standards for such permit?  
as a variance?  
feet from any other lot line. (1) On a reversed corner, an accessory building shall be located nearer to the side lot line than the front yard depth required on of such corner lot than the front yard depth required on the lot to the rear nor be located nearer than three (3) feet to any other lot line.

(b) In the Residence "B" and "C" Districts, accessory buildings shall not be located nearer than 25 feet and 40 feet respectively from the front lot line and in neither case nearer than three (3) feet to any other lot line.

# 7. Supervisor of Building

1. Public Utilities and Public Services. The provisions of this ordinance shall not be so construed as to limit or interfere with the construction, installation, operation and maintenance for public utility purposes of water and gas pipes, water and conduits, electric light and power transmission and distribution lines, telephone and telegraph lines, sewers and incidental appurtenances.

2. In districts limiting the height to 2 1/2 stories or thirty-five (35) feet, one to four family dwellings may be increased to three (3) stories or forty-five (45) feet provided the required side yards are increased to twelve (12) feet or

X In the following facilities there shall be provided heights the following minimum  
off street  
3. Pantries, or food storage, or other rooms of elevators, stairways, tanks, ventilating fans, air conditioning equipment or similar equipment required



*filed 8/14  
8/15*

to operate and maintain the building and fire or parapet walls, skylights, towers, steeples, roof signs, flagpoles, chimneys, smoke stacks, wireless, <sup>television</sup> or radio towers, water tanks or similar structures may be erected above the height limits herein prescribed.

4. A manufacturing or industrial building may exceed the height limit when <sup>approved</sup> authorized by the (Board of Adjustment.) *City Commission*

5. Where a building line or setback line has been established by ordinance for future street widening, the space between such building or setback line and the front or side lot line <sup>shall</sup> may be used as the front or side yard, as the case may be, in lieu of the front or side yard required by this ordinance.

6. Where the yard regulations cannot reasonably be complied with or where their application cannot be determined on lots of peculiar shapes or location, such regulations may be modified or determined by the <sup>Supervisor of Building</sup> (Building Inspector.)

7. Open or enclosed fire escapes, fireproof outside stairways and balconies projecting into the yard or court not more than 3½ feet and the ordinary projections of chimneys and flues may be permitted by the <sup>Supervisor of Building</sup> (Inspector) <sup>14</sup> where same are placed as not to obstruct the light and ventilation.

#### SECTION 15. OFF STREET PARKING REQUIREMENTS.

For the purposes of this ordinance the term "Off Street Parking Space" shall consist of a minimum net area of two hundred (200) square feet of appropriate dimensions for the parking of an automobile, exclusive of access drives or aisles thereto. "Off Street Parking Spaces" shall be provided with vehicular access to a street or alley. <sup>The following</sup> ~~Following are the minimum "Off Street Parking" requirements for the uses indicated:~~ <sup>facilities shall be provided hereafter for the uses indicated</sup>

1. RESIDENTIAL USES. For each dwelling unit of any building hereafter erected for dwelling purposes there shall be provided on the same lot therewith,

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to operate and maintain the building and fire or escape ways, skylights, towers, steeples, roof signs, flagpoles, chimneys, smoke stacks, wireless or radio towers, water tanks or similar structures may be erected above the height limits herein prescribed.

4. A manufacturing or industrial building may exceed the height limit when authorized by the Board of Adjustment.

5. Where a building line or setback line has been established by ordinance for future street widening, the space between such building or setback line and the front or side lot line may be used as the front or side yard, as the case may be, in lieu of the front or side yard required by this ordinance.

6. Where the yard regulations prescribed with or without their application cannot be determined on face of special cases or locations, such regulations may be modified or determined by the Building Inspector.

7. as to clauses see 48 So. 2d. 78

7. Open or enclosed fire escapes, fireproof outside stairways and balconies projecting into the yard or court not more than 25 feet and the ordinary projections of chimneys and flues may be permitted by the Building Inspector where same are placed so as not to obstruct the light and ventilation.

### SECTION 12. CITY STREET PARKING REQUIREMENTS.

For the purposes of this ordinance the term "City Street Parking Space" shall consist of a minimum net area of two hundred (200) square feet of appropriate dimensions for the parking of an automobile, exclusive of access drives or aisles thereon. "City Street Parking Spaces" shall be provided with vehicular access to a street or alley. Following are the minimum "City Street Parking" requirements for the use indicated:

1. RESIDENTIAL USES. For each dwelling unit of any building hereafter erected for dwelling purposes there shall be provided on the same lot therewith,

S/N

or on a lot contiguous thereto, not less than one (1) Off Street Parking space. Such parking space shall not occupy any part of a required front yard.

2. HOTELS AND LODGING HOUSES. For each hotel and lodging house, <sup>hereafter erected or</sup> there shall be provided a minimum of one (1) parking space for each three (3) guest rooms plus one (1) space for every five (5) employees.

3. HOSPITALS, INCLUDING SANITARIUMS, ORPHANAGES, CONVALESCENT HOMES AND HOMES FOR THE AGED, there shall be at least one (1) off street parking space for each 4 patient beds, plus at least one (1) additional space for each staff and visiting doctor plus at least one (1) additional space for each four (4) employees including nurses.

4. PLACES OF ASSEMBLY, including theatres, clubs, churches, schools, auditoriums and other similar places there shall be <sup>provided hereafter</sup> at least one (1) off street parking space for every ten (10) seats provided for patron use, based on maximum seating capacity.

5. RESTAURANTS including night clubs, diners, lunch counters, drive ins and all other similar dining establishments there shall be <sup>provided hereafter</sup> at least one (1) off street parking space for every 200 square feet of floor space plus one space for each four (4) employees.

6. RETAIL ESTABLISHMENTS. There shall be <sup>provided hereafter</sup> at least one (1) off street parking space for every 150 square feet of floor space devoted to business.

7. MORTUARIES. There shall be <sup>provided hereafter</sup> at least one (1) off street parking space for every ten (10) seats of chapel capacity plus one additional space for each three (3) employees.

8. OFFICE BUILDINGS, including governmental and professional buildings. <sup>provided hereafter</sup> There shall be at least one (1) off street parking space for each 1,000 square feet of gross floor area used for service, exclusive of elevator shafts and stairways.

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9. MEDICAL AND DENTAL CLINICS. There shall be <sup>provided hereafter at least</sup> three (3) off street parking spaces for each doctor or dentist plus one for every two (2) employees.

10. HOTELS, TOURIST COURTS. There shall be <sup>provided hereafter</sup> at least one (1) off street parking space for each sleeping unit plus one (1) additional space for the owner.

11. WHOLESALE ESTABLISHMENTS. There shall be <sup>provided hereafter</sup> at least one (1) off street parking space for each one thousand (1,000) square feet of floor area.

12. INDUSTRIAL PLANTS. There shall be <sup>provided hereafter</sup> at least one (1) off street parking space for every five (5) employees.

13. LOCATION OF OFF STREET PARKING SPACES. Except as otherwise prescribed for dwelling units, off street parking spaces required by this section shall be located on or adjacent to the lot on which the main building or use is located; provided however, that for buildings or uses located in a Business "A" District parking spaces may be located on another site, provided such site is not more than one thousand (1,000) feet from the building or use.

SECTION 16.<sup>5</sup> OFF STREET LOADING REQUIREMENTS.

Every commercial or industrial building or hotel hereafter erected on a lot or parcel of land which abuts upon an alley or is surrounded on all sides by streets, shall have one (1) permanently maintained loading space of not less than ten (10) feet in width, twenty-five (25) feet in length and fourteen (14) feet in height, for each two thousand (2,000) square feet of lot area upon which said building is located; provided however, that not more than two (2) of such spaces shall be required, unless the building on such lot has a gross floor area of more than eighty thousand (80,000) square feet, in which case there shall be one (1) additional loading space for each additional forty



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thousand (40,000) square feet (in excess of eighty thousand (80,000) square feet) or fraction thereof above ten thousand (10,000) square feet.

Where the lot on which the loading space is located abuts upon an alley such loading space shall adjoin the alley. The length of the loading space may be measured perpendicular to or parallel with the alley.

SECTION 19<sup>16</sup>. NON-CONFORMING USES.

The lawful use of any building or land existing at the time of the enactment of this ordinance may be continued altho such use does not conform to the provisions of this ordinance.

1. Any building or portion thereof declared unsafe by the proper authority may be restored to a safe condition.

2. A non-conforming building may not be reconstructed or structurally altered during its life to an extent exceeding an aggregate cost of fifty (50) per cent of the assessed value of the building unless said building is changed to a conforming use.

3. A building non-conforming as to use regulations shall not be added to or enlarged in any manner unless such building, including such additions and enlargements, is made to conform to all the regulations of the district in which it is located.

4. No building damaged by fire, flood, wind or Act of God, to the extent of more than fifty per cent (50) of its assessed value shall be repaired or rebuilt except in conformity with these regulations.

5. Wherever a non-conforming use has been discontinued for a period of

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New:

10. Where an owner of a non-conforming lot has acquired adjoining vacant lands and put them to use with the non-conforming lot, then they shall constitute a part of such non-conforming lot, and no lot so added shall thereafter be reduced in any dimension below the minimum requirements for the district.

Chapter 465 - City Commission shall hear and decide appeals

§17 39  
§18

one (1) year, such use shall not thereafter be reestablished, and any further use shall be in conformity with the provisions of this ordinance.

6. Once changed to a conforming use no building or land shall be permitted to revert to a non-conforming use. A non-conforming use may be changed to a use of the same or higher classification, and when so changed to a higher classification, such use thereafter shall not be changed to a lower classification.

7. No non-conforming use shall be extended to displace a conforming use.

8. Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification, the foregoing provisions shall also apply to any non-conforming uses existing therein.

9. The non-conforming use of land existing at the time of the enactment of this ordinance may be continued but if such non-conforming use is discontinued, any future use of said land shall be in conformity with the provisions of this ordinance.

SECTION 18. <sup>17</sup> BOARD OF ADJUSTMENT.

A Board of Adjustment is hereby established, consisting of five (5) freeholders appointed by the City Commission and confirmed by the City Council. The organization and procedure of the Board of Adjustment, its meetings, method of handling appeals and other related matters, shall be in conformity with the provisions of Florida statutes of 1941, Section 176.

Upon the enactment of this ordinance, the City Commission shall appoint two members to the Board to serve a period of three years, two members to serve two years and one member to serve one year; annual appointments shall be for terms of three years each.

Where practical difficulties or unnecessary hardships in the way of carry-

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one (1) year, such use shall not thereafter be reestablished, and any further

use shall be in conformity with the provisions of this ordinance.

6. Once changed to a conforming use no building or land shall be permitted

to revert to a non-conforming use. A non-conforming use may be changed to a use

of the same or higher classification, but shall not be changed to a lower classification.

7. No non-conforming use shall be extended or displaced to a conforming use.

8. Whenever the boundaries of a district shall be changed so as to trans-

fer an area from one district to another district of a different classification,

the foregoing provisions shall also apply to any non-conforming uses existing

therein.

9. The non-conforming use of land existing at the time of the enactment

of this ordinance may be continued but all such non-conforming use is discon-

tinued, any future use of said land shall be in conformity with the provisions

of this ordinance.

### SECTION 12. BOARD OF ADJUSTMENT.

A Board of Adjustment is hereby established, consisting of five (5) mem-

bers appointed by the City Commission and confirmed by the City Council.

The organization and procedure of the Board of Adjustment, its meetings, method

of handling appeals and other related matters, shall be in conformity with the

provisions of Florida Statutes of 1941, Section 170.01.

Upon the enactment of this ordinance, the City Commission shall appoint

two members to the Board to serve a period of three years, two members to serve

two years and one member to serve one year; annual appointments shall be for

terms of three years each.

Where practical difficulties or unnecessary hardships in the way of carry-



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ing out the strict letter of the ordinance, appeals to the Board may be taken by any person aggrieved.

The Board shall have the following duties and powers:

1. To hear and decide appeals where it is alleged there is error in any order, refinement, decision or determination made by the <sup>Supervisor of</sup> ~~Administrative~~ <sup>Building</sup> official in the enforcement of the provisions of this ordinance.

2. To authorize upon appeal in specific cases such variances from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in unnecessary hardship; so that the spirit of the ordinance shall be observed and substantial justice done.

3. In exercising the above mentioned powers, the Board by the concurring vote of four (4) members may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made.

4. In considering all proposed variations to this ordinance the Board shall, before making any finding in a specific case, first determine that the proposed variation will not constitute any change in the districts shown on the zoning map and will not impair an adequate supply of light and air to adjacent property, or materially increase the congestion in public streets, or increase the danger of fire and danger to public safety, or materially diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, morals and general welfare of the City of Jacksonville.

SECTION 19. <sup>16</sup> INTERPRETATION.

In interpreting and applying the provisions of this ordinance, they shall

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20. Chapter 5464 Requires City Commission to  
certify plans for zoning to City Council.  
See HB 548

City Planning Advisory Board has no legal status - yet.

Chapter 5464 requires notice from consented works  
but HB 548 provides 2 wks.

SECTION 14. INTERPRETATION.

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be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. It is not intended that this ordinance shall interfere with or abrogate or annul any easement, covenant or other agreement between parties. Where this ordinance imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations, or by easements, covenants, or agreements, the provisions of this ordinance shall control. Provided however that such provisions shall not apply to any variance or exception granted prior to the effective date of this ordinance.

SECTION 20.<sup>19</sup> CHANGES AND AMENDMENTS.

The City Council may from time to time, on its own motion or on petition, amend, supplement, change, modify or repeal by ordinance the boundaries or districts or regulations herein established. Any proposed amendment, supplement, change, modification or repeal shall first be submitted to the City Planning Advisory Board and to the City Commission for their recommendation and report. If no report is received from these Bodies within thirty (30) days, it shall be considered submitted to the City Council without recommendation upon the proposed amendment, supplement, modification or change. Upon the filing of the recommendations and report, or upon failure to do so within thirty (30) days with respect to any proposed amendment, supplement, change, modification or repeal, the City Council shall proceed to hold a public hearing in relation thereto, giving at least fifteen (15) days notice of the time and place of such hearing, which notice shall be published in a daily newspaper in the City of Jacksonville. In case of an adverse report of the City Planning and Advisory Board or City Commission or if a protest against such proposal, amendment, sup-

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be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. It is not intended that this ordinance shall interfere with or abrogate or annul any easement, covenant or other agreement between parties. Where this ordinance imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires larger of other things than are required by other ordinances, rules, regulations, or by easements, covenants, or agreements, the provisions of this ordinance shall control. Provided however that such provisions shall not apply to any variance or exemption granted prior to the effective date of this ordinance.

SECTION 2. CHARGES AND AMENDMENTS.

The City Council may from time to time, on its own motion or on petition, amend, supplement, change, modify or repeal by ordinance the boundaries or districts or regulations herein established. Any proposed amendment, supplement, change, modification or repeal shall first be submitted to the Advisory Board and to the City Commission for their recommendation and report. If no report is received from these bodies within thirty (30) days, it shall be considered submitted to the City Council without recommendation upon the proposed amendment, supplement, modification or change. Upon the filing of the recommendations and report, or upon failure to do so within thirty (30) days with respect to any proposed amendment, supplement, change, modification or repeal, the City Council shall proceed to hold a public hearing in relation thereto, giving at least fifteen (15) days notice of the time and place of such hearing, which notice shall be published in a daily newspaper in the City of Jacksonville. In case of an adverse report of the City Planning and Advisory Board or City Commission or if a protest against such proposed amendment, sup-

*HB 548 will authorize deposit per cost*

*Supervisor of Building*



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plement, modification or change or repeal shall be presented in writing to the City Recorder, duly signed and acknowledged by twenty (20) per cent or more of the property within 500 feet of the area affected in all directions, such amendment shall not become effective except by the favorable vote of three-fourths (3/4) of all the members of the City Council.

Before any action is taken as provided in this section, the party or parties proposing or recommending a change in the district regulations or district boundaries shall deposit with the City Treasurer the sum stipulated in Section 23 to cover the approximate cost of this procedure and under no condition shall said sum or any part thereof be refunded for failure of said change to be adopted by the City Council.

SECTION 21. NOTICE OF APPLICATION FOR VARIANCE OR AMENDMENT.

Following the filing of an application for a change in district classification as it relates to any parcel or parcels of land or an application for a variance in uses or regulations, the <sup>Supervisor</sup> Building (Inspector) shall have posted in plain unobstructed view on the parcel or parcels of land affected, a notice to the public, stating the nature of the change being sought and other pertinent information such as date of hearing and how the property will be developed and used if the application is approved.

SECTION 22. FILING FEES - SERVICE CHARGES.

Fee for Application. Before accepting for filing any application herein-after mentioned, the <sup>Supervisor</sup> Building (Department) shall charge and collect the following filing fees.

1. Change of Zone - Districts. For each application for a change of zone boundaries a fee of fifty (50) dollars.
2. Variances. For each application for a variance from the height, area

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...modification or change or repeal shall be presented in writing to the City Recorder, duly signed and acknowledged by twenty (20) per cent or more of the property within 500 feet of the area affected in all directions, and amendment shall not become effective except by the favorable vote of three-fourths (3/4) of all the members of the City Council.

Before any action is taken as provided in this section, the party or parties proposing or recommending a change in the district boundaries or district boundaries shall deposit with the City Treasurer the sum stipulated in Section 23 to cover the approximate cost of this procedure and under no condition shall said sum or any part thereof be refunded for failure of said change to be adopted by the City Council.

*A. what is slight?*

SECTION 24. NOTICE OF APPLICATION FOR VARIANCE OR AMENDMENT.

Following the filing of an application for a change in district classification or as it relates to any parcel or parcels of land or an application for a variance in uses or regulations, the Building Inspector shall have posted in plain unobstructed view on the parcel or parcels of land affected, a notice to the public, stating the nature of the change being sought and other pertinent information such as date of hearing and how the property will be developed and used if the application is approved.

SECTION 25. FILING FEES - SERVICE CHARGES.

Fee for Application. Before adopting for filing any application herein after mentioned, the Building Department shall charge and collect the following filing fees.

1. Change of zone - District. For each application for a change of zone boundaries a fee of fifty (50) dollars.
2. Variance. For each application for a variance from the height, area

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and yard provisions of this ordinance a fee of ten (10) dollars; for each application for a variance from other provisions, a fee of twenty-five (25) dollars.

3. Appeal to Board. For each appeal to the Board of Adjustment from any order, requirement, decision or determination of the <sup>Supervisor of Building</sup> ~~Administrator~~ in the administration or enforcement of the provisions of this ordinance, a fee of ten (10) dollars.

4. Fees Waived. No fees shall be charged for applications filed for variance involving only slight modification of the area or yard requirements.

#### SECTION 23. <sup>22</sup> VALIDITY.

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

#### SECTION 24. <sup>23</sup> ENFORCEMENT, LEGAL PROCEDURE, PENALTIES.

It shall be the duty of the Building <sup>Supervisor of</sup> (Inspector) of the City of Jacksonville to enforce this ordinance.

(Penalty clause to be provided by City Attorney)

#### SECTION 25. <sup>24</sup> WHEN EFFECTIVE .

(To be provided by the City Attorney)